

written recommendation of the superintendent of schools," so as to make the clause read:

Appropriations in this act shall not be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from pupils enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the board of education at a stated meeting upon the written recommendation of the superintendent of schools.

The amendment was agreed to.

The next amendment was, on page 65, line 13, before the word "blind," to strike out "indigent," so as to make the clause read:

For instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the commissioners, \$7,500, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Metropolitan police," on page 68, line 4, after the word "precincts," to strike out "\$32,500" and insert "\$40,000," so as to make the clause read:

For the erection of a station house on the site to be purchased in the suburban section of the District between the ninth and tenth precincts, \$40,000.

The amendment was agreed to.

The next amendment was, on page 68, line 8, after the words "In all," to strike out "\$94,100" and insert "\$101,600," so as to make the clause read:

In all, \$101,600.

The amendment was agreed to.

The next amendment was, on page 69, after line 5, to insert:

For one gasoline launch, \$2,000.

The amendment was agreed to.

The next amendment was, on page 69, line 7, after the words "In all," to strike out "\$7,000" and insert "\$9,000," so as to make the clause read:

In all, \$9,000.

The amendment was agreed to.

The reading of the bill was continued to page 70, line 3, the last paragraph read being as follows:

FIRE DEPARTMENT.

Chief engineer, \$3,500; deputy chief engineer, \$2,500; 4 battalion chief engineers, at \$2,000 each; fire marshal, \$2,000; deputy fire marshal, \$1,400; 2 inspectors, at \$1,080 each; chief clerk, \$2,000; clerk, \$1,400; 38 captains, at \$1,500 each; 40 lieutenants, at \$1,320 each; 40 sergeants, at \$1,200 each; superintendent of machinery, \$2,000; assistant superintendent of machinery, \$1,200; 27 engineers, at \$1,200 each; 27 assistant engineers, at \$1,100 each; 2 pilots, at \$1,150 each; 2 marine engineers, at \$1,200 each; 2 assistant marine engineers, at \$1,100 each; 2 marine firemen, at \$720 each; 40 drivers, at \$1,150 each; 40 assistant drivers, at \$1,100 each; 183 privates of class 2, at \$1,140 each; 44 privates of class 1, at \$960 each; hostler, \$600; laborer, \$600; in all \$596,460.

Mr. GALLINGER. I desire to call attention to the necessity of an amendment in this paragraph. The subcommittee made the amendment, which was proper, but afterwards agreed that all increases of salary should be stricken from the bill, and three items here were stricken from the bill upon a misunderstanding. The House made a mistake in drafting the bill, to which attention was called. It will be observed at the bottom of page 69 that privates are receiving \$1,140 a year. As the bill now stands the assistant engineers, marine engineers, and drivers are receiving only \$1,100 a year, so those holding a higher position are getting less than the privates. The desire is to make them all the same.

In line 21, page 69, I move to strike out "\$1,100" and insert "\$1,140"; in line 23, the same; and, in line 25, the same, so as to make an increase of \$40 a year in the salaries of these higher officers and leave the salaries the same as those of the privates.

Mr. SMITH of Maryland. I have no objection to offer to the amendment. I think it is a proper amendment.

The PRESIDING OFFICER (Mr. CHILTON in the chair). The amendment will be stated.

The SECRETARY. On page 69, line 21, strike out "\$1,100" and insert "\$1,140"; in line 23 strike out "\$1,100" and insert "\$1,140"; and in line 25 strike out "\$1,100" and insert "\$1,140," so as to read "27 assistant engineers, at \$1,140 each; * * * 2 assistant marine engineers, at \$1,140 each; * * * 40 assistant drivers, at \$1,140 each."

The amendment was agreed to.

The reading of the bill was continued to line 11, on page 71.

Mr. THOMAS. I should like to ask the Senator in charge of the bill if it is the purpose to continue in session any longer.

Mr. SMITH of Maryland. Six o'clock is the hour we agreed upon.

Mr. THOMAS. Very well.

RECESS.

Mr. SMITH of Maryland. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 2 minutes p. m.) the Senate took a recess until to-morrow, Friday, February 9, 1917, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, February 8, 1917.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

"Blessed is the nation whose God is the Lord; and the people whom He hath chosen for His own inheritance." Take us, O God, and make us Thine. Hold us close to Thee that we may be able to interpret the pulsations of Thy great heart; and thus understanding, give us grace and strength to do Thy will now and evermore, in the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. SHACKLEFORD. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. SHACKLEFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of the migratory-bird law and to print in the Record a letter which I have received from the deputy commissioner of the State Game and Fish Department of the State of Missouri.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 20453. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 201. Joint resolution requesting the President of the United States to designate and appoint a day on which funds may be raised for the relief of the Ruthenians (Ukrainians).

The message also announced that the Senate had agreed to the amendments of the House to bills of the following titles:

S. 3699. An act to donate to the city of St. Augustine, Fla., for park purposes, the tract of land known as the powerhouse lot; and

S. 1061. An act to allow additional entries under the enlarged-homestead act.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 135) for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians declared forfeited by the act of February 16, 1863, had requested a conference with the House on the bill and amendment, and had appointed Mr. ASHURST, Mr. MYERS, and Mr. CLAPP as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 18181) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, had requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JOHNSON of Maine, Mr. HUGHES, and Mr. SMOOT as the conferees on the part of the Senate.

The message also announced that the President had approved and signed bills and joint resolutions of the following titles:

On February 3, 1917:

S. J. Res. 202. Joint resolution to enable the Secretary of the Senate and the Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President of the United States on March 5, 1917.

On February 6, 1917:

S. J. Res. 203. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the presidential inaugural ceremonies in 1917;

S. 7537. An act authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River, in the town of Allegany, county of Cattaraugus, N. Y.; and

S. 8090. An act granting the consent of Congress to Washington-Newport News Short Line, a corporation, to construct a bridge across the Potomac River.

NATIONAL MILITARY PARK, GUILFORD COURTHOUSE.

Mr. NICHOLLS of South Carolina. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. NICHOLLS of South Carolina. Mr. Speaker, I desire to ask unanimous consent to take from the Speaker's table the bill H. R. 8229, with Senate amendments, to disagree with the Senate amendments and ask for a conference.

Mr. CARTER. What is the bill?

Mr. NICHOLLS of South Carolina. It is the bill of the gentleman from North Carolina [Mr. STEDMAN] in reference to Guilford Courthouse.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to take from the Speaker's table the Guilford Courthouse bill, to disagree to all Senate amendments and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

An act (H. R. 8229) to establish a national military park at the battle field of Guilford Courthouse.

The Senate amendments were read.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I intended to move to concur in the Senate amendments if the matter came before the House. What is the objection to concurring in the Senate amendments?

Mr. NICHOLLS of South Carolina. As I understand, Mr. Speaker, the Senate amendments take away the commissioners which our bill calls for and puts the whole matter in the hands of the Secretary of War, who shall appoint a caretaker there.

Mr. MANN. To appoint whoever is necessary there.

Mr. NICHOLLS of South Carolina. Well, a caretaker is absolutely necessary.

Mr. MANN. He will operate this park as he does most of the other parks of this character.

Mr. NICHOLLS of South Carolina. As I understand it—

Mr. MANN. And we authorize the appropriation to be expended under the Secretary of War for the care of the park, for the construction of the necessary roads, approaches, etc.

Mr. NICHOLLS of South Carolina. Mr. Speaker, the gentleman from North Carolina [Mr. STEDMAN] is here and is more fully acquainted with the matter, and I will ask him to explain it.

Mr. STEDMAN. Mr. Speaker, the Guilford Courthouse Battle Field Park Co. was inaugurated through the patriotic sentiment of a distinguished North Carolinian, Judge Schenk, who spent a lifetime and a great deal of money in building up the park. This is one of the most beautiful places in this country. His son has now taken charge and it has been kept up under his supervision, and as a matter of deference and gratitude to a family who have done so much for this great work and expended much time and money through patriotic motives, we thought that the bill should be so arranged that his son should be a commissioner. It is purely a matter of patriotic sentiment.

Mr. MANN. The Secretary of War would have authority to appoint this man in charge of the park.

Mr. STEDMAN. He might not do it, and what harm—

Mr. MANN. I know he might not do it, that is true; but if it should be done, he probably would do it. Now, to create a commission for this purpose—

Mr. STEDMAN. The leading parks of this country have had commissioners, as I understand.

Mr. MANN. Part of them have, and we have been trying to abolish them.

Mr. STEDMAN. We care very little about the money in this matter, but it is purely a matter of sentiment, simply and entirely.

Mr. MANN. This House on various occasions has had to reduce these commissions by abolishing commissioners whose terms have expired, which is a very difficult thing, of course, to do. Why create a new commission, why not let the Secretary of War have the management?

Mr. STEDMAN. Because we want to express our gratitude to the people who have had patriotism and sentiment enough to preserve this battle field and to recognize in some way this sentiment, not only of my own county and city but of the whole State of North Carolina and the whole people of this country.

Mr. MANN. I know; but after these gentlemen patriotically proposed to present this park to the Government I do not understand they insisted upon being paid for it in the form of a salary.

Mr. STEDMAN. They have not asked for any pay.

Mr. MANN. Would it not be paid in the form of a salary to the commissioner?

Mr. STEDMAN. If it becomes necessary and the conferees think it is better, we will strike it out; but we wish that family, who created that park as a matter of patriotic sentiment and who did the work which makes this one of the most beautiful parks in this country, and which was done at very great expense to themselves, to be represented.

Mr. MANN. For the present I shall object.

The SPEAKER. The gentleman from Illinois objects.

SEWER FOR PRESIDIO MILITARY RESERVATION.

Mr. KAHN. Mr. Speaker, I ask to take from the Speaker's table the bill (S. 7713) granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation. A similar bill has been reported unanimously from the Committee on Military Affairs.

The SPEAKER. What is the number of the Senate bill?

Mr. KAHN. It is S. 7713.

The SPEAKER. The gentleman from California [Mr. KAHN] asks unanimous consent for the present consideration of Senate bill S. 7713, a House bill of similar tenor being on the calendar. The Clerk will report the bill.

The Clerk read the title, as follows:

An act (S. 7713) granting to the city and county of San Francisco, State of California, a right of way for a storm-water relief sewer through a portion of the Presidio of San Francisco Military Reservation.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of the United States is hereby given to the city and county of San Francisco, Cal., to locate, construct, and maintain a 40-inch concrete storm-water relief sewer over and across Lobos Creek and thence through a portion of the Presidio of San Francisco Military Reservation to a point where it will again reach Lobos Creek and discharge therein, upon such location and plans as the Secretary of War may approve and under such conditions and regulations as he may prescribe.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KAHN, a motion to reconsider the vote by which the bill was passed was laid on the table.

A House bill (H. R. 19423) of similar tenor was laid on the table.

OFFER OF NATIONAL DEFENSE FROM LOUISIANA.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by having read at the Clerk's desk a telegram received by me from the American Cane Growers' Association.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to have his remarks extended in the Record by having read at the Clerk's desk a telegram. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the telegram.

The Clerk read as follows:

NEW ORLEANS, LA., February 7, 1917.

HON. WHITMELL P. MARTIN,

House of Representatives, Washington, D. C.:

This organization, representing the sugar producers of Louisiana, requests that you respectfully offer to the President of the United States and the Secretary of War the use of Louisiana sugar factories and accompanying equipments to be utilized in such manner as may be found advisable in meeting the demands which may arise in connection with national defense. Of Louisiana's total boiler horsepower capacity approximately one-half, namely, 150,000 boiler horsepower, is installed in Louisiana sugar factories.

AMERICAN CANE GROWERS' ASSOCIATION,
By H. N. PHARR, President.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LITTLEPAGE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from West Virginia rise?

Mr. LITTLEPAGE. I rise to a question of personal privilege, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LITTLEPAGE. I desire to have the Clerk read a clipping from the Cleveland Leader and also an article from the Wheeling Intelligencer, of Wheeling, W. Va., that I think reflects upon myself and other Members of the Military Affairs Committee.

The Clerk read as follows.

[From the Cleveland Leader, Feb. 6, 1917.]

GORDON ASSAILED AS "A PINHEAD"—CHICAGO TRIBUNE URGES HIS EX-PULSION FROM CONGRESS AS "WARNING TO TRAITORS."

CHICAGO, February 5.

In an editorial to-morrow the Chicago Tribune will say:

"The first step necessary to place the land defenses of the Nation on a war footing is the increase of the General Staff of the Army."

"That step, asked by the Secretary of War from the Military Affairs Committee of the House, has been refused by the Democratic majority of the committee. Here is the list: DENT, of Alabama, chairman; McKELLAR, of Tennessee; QUIN, of Mississippi; GORDON, of Ohio; LITTLEPAGE, of West Virginia; SHALLENBERGER, of Nebraska; FARLEY, of New York; WISE, of Georgia; OLNEY, of Massachusetts; NICHOLLS, of South Carolina; HARRISON, of Virginia."

"No one can excuse himself on the ground of ignorance. The need of a General Staff, which is the organizing mechanism of our military defense, has been explained and discussed before them fully. Only a mental defective could fail to understand and the trouble with the men is not that they are subnormal but that they are merely pin-headed, pusillanimous, peanut politicians."

"There should be more than this. The men on this roll of dishonor whose names we give here should be forthwith expelled from the House of Representatives as a sign that the House knows its duty and as a warning to all traitors that its Government is awake to the national crisis."

[From the Wheeling Intelligencer, Feb. 6, 1917.]

LITTLEPAGE IS GRILLED—CHICAGO PAPER IN SEVERE CRITICISM—"EXPULSION THESE TRAITORS," THE CAPTION OF TRIBUNE'S EDITORIAL.

CHICAGO, ILL., February 5.

Under the caption, "Expel these traitors," a Tribune editorial calls for the expulsion from Congress of DENT, of Alabama; McKELLAR, of Tennessee; QUIN, of Mississippi; GORDON, of Ohio; LITTLEPAGE, of West Virginia; SHALLENBERGER, of Nebraska; FARLEY, of New York; WISE, of Georgia; OLNEY, of Massachusetts; NICHOLLS, of South Carolina; and HARRISON, of Virginia, because they voted against increased land defense to-day in the House of Representatives at Washington.

Mr. LITTLEPAGE. Mr. Speaker and gentlemen of the House, this is the first time during my service in this House that I have craved the indulgence of the House in a matter of this character, and I hope it will be the last time. But I can not submit as a Member of this House to the accusations referred to in these papers without my humble protest, especially when they are so unjust, unwarranted, and unfounded. And I sincerely feel that I but bespeak the sentiment of the individual Members of this House without reference to politics in resenting the accusations preferred by those editorials. I am here to say to the membership of this House that there is not one scintilla of truth in either of the statements. They are wholly unfounded.

Mr. NICHOLLS of South Carolina. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. NICHOLLS of South Carolina. I want to ask the gentleman from West Virginia a question.

The SPEAKER. Does the gentleman from West Virginia yield to the gentleman from South Carolina?

Mr. LITTLEPAGE. Yes.

Mr. NICHOLLS of South Carolina. I wanted to know if the gentleman knew the name of the contemptible scoundrel who wrote that article?

Mr. LITTLEPAGE. I do not; but I wish I did.

So far as my district is concerned and so far as the representative citizens of my district are concerned, without reference to politics, I need not reply to such disgraceful publications, inasmuch as they would not be given any credence there. But these publications, gentlemen of the House, ought not to be permitted to go unnoticed, as in case they are continued no one is safe, character is valueless, and faithful devotion to service will not be appreciated.

I care not so much for myself, but there are other men—Members of this House, men of high standing and high character—who have likewise been reflected upon by the writers of these articles. I care not whether you are a Republican or a Democrat; your character and high standing in this House is as sacred to you as mine is to me. [Applause.] And the longer I stay here and the more I see of this public slander of public officials the greater I see the necessity for a statute in this Government that will brand the publishers and writers of such articles as felons and convict them as such and send them to the penitentiary. That is what ought to be done. And I rise more in defense and in protection of the good men who have been slandered along with me than I do for myself.

These publications have gone into the Wheeling Intelligencer, one of the most important Republican papers in my State, copied from the Chicago Tribune. In justice to me, in justice to every man who is reflected upon, the Republican members of the Military Affairs Committee of this House, men of high character and standing and capacity, and noted for patriotism, will testify it is a ridiculous shame, and one that the House itself ought to resent. If I had my way, the man who wrote that article would be barred from that gallery. He ought to be barred from it. [Applause.] I have struggled all my life to keep a clean character. I have struggled all my life to be honest. I have struggled all my life to be kind and obliging to people, and I resent that abominable publication which the man who wrote it knew was a mischievous, disgraceful, contemptible falsehood. [Applause.] And he does not deserve the respectful attention of any Member of this House, it matters not what his politics.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. LITTLEPAGE. Yes.

Mr. COOPER of Wisconsin. The gentleman has intimated that the article in question was written by a correspondent having a place in the House press gallery. I understood his opening statement to be that it was an editorial that appeared on the editorial page and was not a news communication written by the Washington correspondent.

Mr. LITTLEPAGE. I do not know what the facts are. I wish I did.

Mr. COOPER of Wisconsin. Well, Mr. Speaker—

Mr. LITTLEPAGE. I tried to find out.

Mr. COOPER of Wisconsin. I will inform the gentleman that I saw it on the editorial page of the Tribune, and I went to the Tribune file a moment ago, in the House lobby, and found the editorial had been cut out.

Mr. LITTLEPAGE. Yes; I saw the editorial as well. But he seemed to have gotten it in there both ways. And I take it, it went from the gallery of this House to the editorial department.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. LITTLEPAGE. Yes.

Mr. MOORE of Pennsylvania. I think a word is to be said for the active correspondent in Washington. It is not his fault that some of these pernicious editorials appear. The work is done back home, in the office. One of the great troubles with Washington is that what the correspondents do send out does not always meet the approval of the editor at home, who is wiser than the Congress of the United States—that man back there.

Mr. QUIN. Mr. Speaker, will the gentleman yield?

Mr. LITTLEPAGE. Certainly.

Mr. QUIN. I desire to state for the information of the gentleman from Pennsylvania [Mr. MOORE] that it is both. Some scoundrel from the city of Washington has sent that out, and the putrid editor of that pusillanimous paper has put in that putrid editorial. [Laughter.]

Mr. LITTLEPAGE. My rule in life has been, if I could not say something good of my fellow man, to refrain from saying something harmful [applause], and I have used stronger language in this august presence this morning than I have used in many years about a fellow countryman.

Gentlemen, I do not know how you take it, but I felt cut and hurt and resentful. It is a terrible thing to publish throughout the country a lie about a public official. No power on earth can kill it or stop it, when once put in circulation. Newspaper men ought to be careful to know what they are publishing, to know the truth of it before they scatter it to the winds. It is all over my district this morning, and doubtless all over the district of every Member who has been so reflected upon. We have to answer. We ought not to have to answer, but we shall.

In my heart I am willing to forgive the transgressor if he will do so no more and not try to hurt some other public official. But, before this House and my God, I came into this House with prayers upon my lips to God to keep me right and to keep me honest, and I have tried to so live here, and I do resent with all my heart the injustice done me and the other distinguished members of a great committee of this House. I am for preparedness. I have always been. I love my country and believe in one flag, one country, and one God. [Applause.] I love that flag and would spill my blood to defend it if it were necessary. The idea of saying of me and of other good men that we are "traitors"—gentlemen of this House, it is a hard statement to make. It is a terrific thing to say and to put

into circulation throughout the length and breadth of the country that we all love so well, that we are all willing to step into the trenches and die for when it is necessary. I thank you, Mr. Speaker and gentlemen.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. LITTLEPAGE. Yes.

Mr. MANN. It is a fact, is it not, that in the Hay national-defense bill, passed at the last session of Congress and reported and acted upon by the same members of the Committee on Military Affairs and the majority that now composes the committee, with one exception, this provision was carried in that law forbidding more than 50 per cent of the General Staff to be in Washington?

Mr. LITTLEPAGE. That is probably true.

Mr. MANN. Is it not absolutely true?

Mr. LITTLEPAGE. I am not prepared to say that it is, because I do not remember definitely.

Mr. MANN. I supposed the gentleman knew.

Mr. DENT. Mr. Speaker, if the gentleman will allow me, that is true.

Mr. LITTLEPAGE. But let me say to the gentleman from Illinois that this article concerns what occurred in this House and in the committee room within the last few days.

Mr. MANN. Very well.

Mr. LITTLEPAGE. And do you sustain it?

Mr. MANN. Oh, I do not think the gentleman that wrote the article was quite informed, nor do I think the criticism of the gentleman from West Virginia is quite well balanced. Here is a committee that in time of danger reported, and the House passed, a bill forbidding more than 50 per cent of the General Staff to be in Washington. The War Department under this present exigency has requested that that be set aside. Well, perhaps it ought to be set aside. I do not say that it ought. I was opposed to the provision in the first place; but if it ought to be set aside now, we are subject to criticism for having enacted it at the last session of Congress.

Mr. LITTLEPAGE. Let me say to the gentleman from Illinois that the very thing that this article said we did not do was done by the committee, and by a unanimous vote, and the Republican member on your own side [Mr. KAHN], who has as much ability and patriotism as any other man in this House, will tell you so. And let me say to the gentleman from Illinois, too, that it is a singular coincidence that every member on the Democratic side of that committee is attacked, with the exception of one, and put on that roll of dishonor. Let me say to you further that your own side of this House, the members of that committee who are honest—and I do not mean to say you are dishonest—will sustain my statement. I thank you, Mr. Speaker and gentlemen. [Applause.]

Mr. KAHN rose.

The SPEAKER. The gentleman from California is recognized.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House on this matter for five minutes.

The SPEAKER. The gentleman from California asks for five minutes in which to address the House. Is there objection? There was no objection.

Mr. KAHN. Mr. Speaker, the gentleman from West Virginia [Mr. LITTLEPAGE] is quite right when he says that the matter referred to in the article is false, because such a proposition was never put up to the Committee on Military Affairs by the Secretary of War. [Applause.] The article refers to a proposition for the enlargement of the General Staff. The thing that the War Department asked was a modification of the law, which prohibits more than 50 per cent of the General Staff from being located here in Washington at any time.

The Secretary of War came to me before the meeting and asked whether I would be willing to stand for a modification of that provision. I told him in this emergency I believed it was the duty of every American citizen to stand by the President and the War Department [applause], and that I would cheerfully support the modification. When the committee was in session that proposition was put before us, and that alone. We were merely asked to give authority to the Secretary of War to permit him to call all of the General Staff or such proportion of it in excess of 50 per cent as he might desire to the city of Washington to work out necessary military problems. There was some little discussion in the committee, but every member of the committee voted for the proposition, Democrats and Republicans alike. There was no division of opinion, and the thing went through unanimously and is now incorporated in the bill. [Applause.]

I think it only fair to our Democratic colleagues on the committee to state the matter just as it occurred, and I am pleased to have had this opportunity to so explain it.

Mr. BUTLER. Mr. Speaker, will the gentleman permit an interruption?

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. DENT. May I ask my colleague on the committee from California if it is not a fact that the Secretary of War came in person to the committee room on Monday morning and conferred with you, as the ranking minority member of the committee, and with me, as chairman of the committee, and that we agreed on this provision, which I submitted to the committee; and it was unanimously adopted by the committee and is now in the bill?

Mr. KAHN. The gentleman states the facts just as they occurred. [Applause.]

Mr. GORDON. Mr. Speaker, is it not a fact that the Secretary of War did not address the committee, other than the two leaders on the committee, upon the subject at all?

Mr. KAHN. He did not appear personally before the committee.

Mr. GARNER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARNER. Then the pusillanimous part of this matter seems to be at Chicago instead of in the House of Representatives.

Mr. KAHN. Oh, the gentleman must draw his own conclusions.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. BUTLER. I did not hear distinctly the editorial as it was read. From the statement of the gentleman from California [Mr. KAHN] I understand there is no foundation whatever for that editorial.

Mr. KAHN. That is quite true.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for two minutes. Is there objection?

Mr. MANN. Reserving the right to object—about what?

Mr. FIELDS. About this proposition.

The SPEAKER. The gentleman is entitled to the floor as a question of privilege, but as he makes a request for unanimous consent the Chair will put his request. Is there objection? There was no objection.

Mr. FIELDS. Mr. Speaker, I happen to be one of the majority members not mentioned in the newspaper article referred to. I only take this opportunity to indorse what the gentleman from California [Mr. KAHN] has said, and to express my resentment at the reflection that has been cast upon the other members of the committee. The whole thing was without foundation, and if any man in the press gallery of this House is responsible for it, he ought to be barred from the gallery. [Applause.] Of course, if the correspondent here was not responsible for it, and the man at the head of the paper in Chicago is alone responsible, that presents a condition that we just have to make the best of; but the statement is false, and should be condemned not only by this House, but by the people of this country. [Applause.]

Mr. NICHOLLS of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. NICHOLLS of South Carolina. Mr. Speaker and gentlemen of the House, this article in the Chicago Tribune had not been called to my attention until it was read from the desk this morning, and I must confess that I was very much surprised that any paper in the United States, in this time of trouble and excitement, would take occasion to speak of members of one of the most prominent committees of this House in any such terms. I know that it is not a time for us to be discussing politics, and I also know, as the Member from California [Mr. KAHN] has stated, and as the Member from West Virginia [Mr. LITTLEPAGE] has stated, that the Republican members of this committee voted for the proposition which was put in the bill after finding out from Mr. KAHN and Mr. DENT that it was satisfactory to the Secretary of War. Therefore the Secretary of War has got from the committee exactly what he asked for, or exactly what he was willing to put up and have passed as a law.

Now, with reference to the Chicago Tribune, I do not know the man who wrote this article. I do not care to know the man who

wrote this article. It has always been my experience, and it has always been the custom in my part of the country, that the man who manages a paper, the man who is the editor of a paper, is responsible for what goes into that paper. Gentlemen of the House, if some little reporter writes an article reflecting upon a man's private character or reflecting upon a man's public career and it is printed in the paper, the little numskull who wrote it is not responsible, but the man who runs the paper is responsible. I am reliably informed that Mr. McCormick is one of the editors and has large control over the Tribune. I am further informed that the State of Illinois has sent Mr. McCormick to be a Member of the next Congress.

Mr. MADDEN. I beg the gentleman's pardon. The Mr. McCormick who has been elected to the House has no official relation to the Chicago Tribune. It is his brother.

Mr. NICHOLLS of South Carolina. What is the name of the Member who is to be here?

Mr. MADDEN. Medill McCormick; and the gentleman who has charge of the editorial work of the Tribune is Robert R. McCormick.

Mr. NICHOLLS of South Carolina. Do you know whether Mr. Medill McCormick has anything to do with it?

Mr. MADDEN. He has absolutely nothing to do with the management of the Tribune.

Mr. NICHOLLS of South Carolina. He has nothing to do with it?

Mr. SIMS. He is one of the owners.

Mr. NICHOLLS of South Carolina. Is he one of the owners?

Mr. MADDEN. No. His mother is, but he is not.

Mr. NICHOLLS of South Carolina. When did he sever his connection with it?

Mr. MADDEN. He has never had any connection with it as far as I know. His mother owns it.

Mr. NICHOLLS of South Carolina. It is owned in the family, and he has stock in it, has he not?

Mr. MADDEN. I do not think he has. I think it would be unfair to make the statement that Mr. Medill McCormick, the Member-elect of the House, is in any way connected by ownership with the Chicago Tribune. The paper was originally owned by his grandfather, who left the property to Mr. McCormick's mother and to another daughter, and these two women own the paper.

Mr. NICHOLLS of South Carolina. In justice to Mr. McCormick, if he is not the man, I will not read all of an article printed in the RECORD, which refers to a certain party; but a portion of that article fits this case so well that I am going to read it, and I want it to refer to the man who wrote this article or is responsible for it. I quote from the CONGRESSIONAL RECORD of July 11, 1912, the language of a Republican paper, the Chicago Inter-Ocean, which, in my judgment, fits the man who wrote this article, and I can not better express my feeling for him than to use the words of the editor of the Chicago Inter-Ocean, who says:

We apologize to our readers for dignifying the falsehood in question—

And I apologize to this House for dignifying the falsehood that this man has written—

for dignifying the falsehood in question by this editorial reference; but we take it that some recipients—

Of a letter that was written—

might otherwise believe it, not realizing that it came from an alcoholic little cad who haunts sanitariums between debauches and whose puffed face for months turned men in disgust from the lunch tables and caused them to avoid even the tableware which touched his lips.

The name of a degenerate looks as respectable on paper as that of a gentleman, and therefore we are compelled in this case to treat it not as it is but as it appears to be.

Now, Mr. Speaker and gentlemen, I want to tell this House that no Military Committee that has ever been here, in my judgment, from what I have read, have labored harder or more conscientiously to give to this Government the defense that we thought was ample and that the people of this country wanted. I speak for both sides of the House. There has been no friction. Whenever the department notified us that they had to have a thing we have gone the length to give it to them. You, gentlemen, have helped do it; we have helped do it; and I say it is an outrage and a shame for any paper, regardless of politics, to come into the public prints with an article of that kind without foundation—in other words, a bald-faced lie—for the purpose of hurting Democratic Congressmen on that committee. So far as I am concerned, it will not hurt me, because the papers in my district would not think of publishing such an article. If the papers did publish it, the people of my district would not believe a word of it, and the people of the districts of other gentlemen are not going to believe it. They have the confidence and esteem of their constituents or they would not

be here to-day. We have dignified this article by giving it notice on the floor of the House. I think, possibly, it should have gone unnoticed; but, Mr. Speaker and gentlemen, when a man brazenly assaults the character of Members of the House their only way to come back, their only way of getting redress, is to come on the floor and defend themselves; and I am proud to say that the Republican members of the committee—and I knew they would do it—have come here on the floor and said that it was false. I hope the matter will not be brought any further into notice by the papers, and I hope this editor will stay in Chicago, where he belongs, because I frankly tell you that if I meet him I will hold him personally responsible for this article. [Applause.]

Mr. MANN. Mr. Speaker, I ask for two minutes.

The SPEAKER. The gentleman from Illinois asks for two minutes to address the House. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, it is quite evident that the article in the Chicago Tribune was based upon false information. It did the committee, the Democratic members of the committee, a great injustice, but it is just as true as the article read by the gentleman from South Carolina in reference to the editor of the Chicago Tribune.

Mr. NICHOLLS of South Carolina. Will the gentleman submit to an interruption?

Mr. MANN. Yes.

Mr. NICHOLLS of South Carolina. That article was written by the editor of the paper from the gentleman's own State.

Mr. MANN. No; but the gentleman read it here to the House.

Mr. NICHOLLS of South Carolina. It is in the RECORD.

Mr. MANN. If it were a shame for the Chicago Tribune to write the editorial it did, I think it is equally a shame that the gentleman from South Carolina should read the article he did about the editor of the Chicago Tribune. The editor of the Chicago Tribune, the managing editor at present, is Maj. McCormick, who has just been down on the border of Mexico, enlisted in the Government service, ready at all times to lay down his life for his country, and has proven it, which we have not—taking an active interest in military affairs. He has indulged in considerable criticism of the Hay defense bill. It has not met my approval in every respect, although I think much of it was just. He has made a mistake, but it does not do any good because of that to call him names and impute improper motives to him. He has the highest patriotic motives in behalf of the defense of the country, and is a gentleman of just as high standing as any gentleman in this House. [Applause.]

Mr. QUIN rose.

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. QUIN. To ask for seven minutes to address the House.

The SPEAKER. The gentleman from Mississippi asks to address the House for not exceeding seven minutes. Is there objection?

There was no objection.

Mr. QUIN. Mr. Speaker, I rise to a question of personal privilege, and would like to have read what appeared in the Chicago Tribune from a staff correspondent of that paper in the city of Washington, reflecting on the Democratic members of your Committee on Military Affairs.

The SPEAKER. It can be read in the gentleman's time.

The Clerk read as follows:

[From the Chicago Tribune, Feb. 6, 1917.]

"PORK HUNTERS" CRIPPLE ARMY'S GENERAL STAFF—DEMOCRATS, WITH WAR FACING NATION, REFUSE TO GIVE AID TO BAKER.

WASHINGTON, D. C., February 5.

A group of pork and pacifist Democratic Congressmen to-day blocked the first step proposed by the administration to put the Nation in a position to defend itself in case of war with Germany.

These Congressmen, comprising the Democratic majority of the House Military Affairs Committee, rejected an urgent request of Secretary of War Baker to insert in the Army appropriation bill a provision authorizing an increase in the General Staff of the Army from 55 to 92 members.

The Democrats who opposed the Secretary's recommendation included DENT, of Alabama, chairman; McKELLAR, of Tennessee; QUIN, of Mississippi; GORDON, of Ohio; LITTLEPAGE, of West Virginia; SHALLENBERGER, of Nebraska; FARLEY, of New York; WISE, of Georgia; OLNEY, of Massachusetts; NICHOLLS, of South Carolina; and HARRISON, of Virginia. FIELDS, of Kentucky, was the only Democratic member of the committee who voted for the increase.

BAKER APPEALS IN PERSON.

Mr. Baker journeyed to the Capitol to make his request in person. He called on Chairman DENT just prior to a scheduled meeting of the committee and informed him that the present General Staff, handicapped as it is by a provision in the Hay law that not more than one-half of its members shall be in Washington at one time, is too small to handle the work confronting it.

Mr. DENT, after advising Secretary Baker that his request would be rejected, submitted it to the Military Committee, where the Democratic majority, as he predicted, voted it down.

Mr. QUIN. Mr. Speaker and gentlemen, you can not lay all of this lie at the door of the editor of the Chicago Tribune. I have the utmost respect for gentlemen who represent the press here in the Press Gallery. They have always been fair to Members of Congress. I do not know whether the creature who sent this miserable and contemptible lie to the Chicago Tribune has the honor to be a member of the respectable brotherhood that compose the fraternity who sit in the Press Gallery. If that miserable creature is in the Press Gallery, if this House has any respect for itself, and if the gentlemen who compose that fraternity have any respect for themselves, they will bar that miserable cur from association with gentlemen. [Laughter and applause.]

The Chicago Tribune, the pusillanimous paper that published this fuzzy lie, went further and published a scathing, slanderous, and libelous editorial reflecting on the manhood, the integrity and ability and patriotism of the Democratic majority on the Military Affairs Committee. So far as that paper is concerned, every man who is familiar with its record knows that it is a blatherskite, South-hating, billingsgate sheet. We know from editorials which appeared in that paper anent the Frank case, in the State of Georgia, the good citizenship of the State of Georgia was reflected upon, as well as the manhood and patriotism of the entire South. That paper is not worthy to go into the home of any patriotic citizen in the Republic.

It is easy enough for a buzzard to fly high in the air and puke the filthy, slimy contents of his nasty bowels on the head of a prince. [Laughter and applause.] It is easy enough for some editorial buzzard to sit back in the private editorial room of the paper and puke out his vomit on worthy and distinguished men who are representing the people as patriotic Members of the American Congress. My friends, it is time for the manhood of this House to resent such an imputation. Has it come to the pass that if any Congressman stands up for the plain people, if any man throws himself across the path of the onward rush of the plunderers and dollar hunters of the country, is he to be called a traitor? If, forsooth, the editor had told the truth, if the members of the committee had manhood enough to place themselves on record against increasing the Staff Corps, he would have had no just ground for criticism.

Is a Congressman to be branded as a traitor because he refuses to stand for all of the rot of militarism and all of the dangerous propaganda advocated by plutocracy? We know that the bill that the committee reported out to this House shows that all of the staff in an emergency can be called into Washington or the District of Columbia on the order of the President. We as members of the committee voted for it. Is there any man of sense in the United States who doubts that this is the correct thing? Not only the Chicago Tribune, the nasty thing that ought not to be mentioned in the presence of gentlemen, but other plutocratic papers throughout this country have seen fit to vilify members of the Committee on Military Affairs and other Members of this House who have seen proper to stand against the great powers of selfish wealth and the undermining dangers of a great standing army. We all know that so far as any impending danger is concerned with any foreign country at this time this bill could do nothing to confront it. We all know that the American citizenship is ready at all times to go to the front with flying colors to defend their country against aggression. Your committee has worked with patriotic devotion and fidelity to this House and to the Nation to give the proper implements and nucleus around which an Army may be built. We all know that if a real contest comes it would be the men from the ranks of private life who would go to the front as men of great virility to defend this country. [Applause.]

Mr. LONDON rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. LONDON. Mr. Speaker, I ask unanimous consent to address the House for five minutes in connection with this matter.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes. Is there objection?

Mr. BROWNING. Mr. Speaker, reserving the right to object, we have a very important bill before this House and we are wasting time now. I shall not object to the gentleman from New York proceeding for five minutes, but I give notice that I shall object to any other similar request.

The SPEAKER. Is there objection?

Mr. ROGERS. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. Will it be in order to announce that I shall object to every unanimous request that comes from the Republican side?

DIVERSION OF WATER OF THE NIAGARA RIVER.

The SPEAKER. The unfinished business is the bill (H. R. 20047) for the control and regulation of the waters of Niagara River above the Falls, and for other purposes, which the Clerk will report.

The Clerk reported the bill by title.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HUDDLESTON. Mr. Speaker, I offer the following motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

Motion by Mr. HUDDLESTON: That H. R. 20047 be recommitted to the Committee on Foreign Affairs with instructions to forthwith report as a substitute thereof the following:

"Be it enacted, etc., That the short title of this act shall be 'The Niagara power commission act'."

"Sec. 2. That the Niagara power commission be, and the same is hereby, chartered as a public corporation with the powers hereinafter granted."

"Sec. 3. That said Niagara power commission shall be governed, controlled, and operated by a board of three commissioners, subject to the general supervision of the Secretary of the Interior, to whom they shall make reports, and who shall make and prescribe suitable rules and regulations for the performance of their duties under this act. Said commissioners, not more than two of whom shall be members of the same political party, shall be appointed by the President of the United States, by and with the advice and consent of the Senate. One of said commissioners shall be designated by the President to serve for two years, one for four years, and one for six years, and thereafter each commissioner so appointed shall serve for six years unless sooner removed for cause by the President. The President shall at will designate one of said commissioners as chairman, who shall receive an annual salary of \$6,500, and the two other commissioners shall receive annual salaries of \$6,000 each, all salaries being payable monthly. Each commissioner shall within 15 days after notice of his appointment take and subscribe the oath of office. No commissioner during his continuance in office shall be an officer or director of any other institution."

"Sec. 4. That the business of said Niagara power commission shall be the production of electric energy from the waters of Niagara River and the distribution of same as hereinafter provided."

"Sec. 5. That said Niagara power commission shall have, hold, and enjoy for the production of electric energy the exclusive right to use and divert water in the United States in and from the Niagara River above, at, and below the Falls thereof, to the limit fixed by and under the provisions of the treaty between the United States and Great Britain proclaimed May 13, 1910, and to that end said Niagara power commission shall have succession until it is dissolved by act of Congress and shall have the powers under such rules as the Secretary of the Interior shall prescribe, to adopt a seal; to sue and be sued; to make contracts and incur liabilities; to buy, sell, and acquire property; to condemn lands, generation plants, works, and other property and easements therein; to construct works, dams, stations, and transmission lines; to lease, contract for, produce, and distribute electric energy; and generally to have all such powers of similar corporations as may be within the reasonable intentment hereof, and as may be reasonably necessary to carry on its said business; and for said purposes and upon approval by the Secretary of the Interior, may issue bonds and obligations bearing interest at not more than 5 per cent per annum, secured by mortgages on its property."

"Sec. 6. That the said Niagara power commission shall transmit and distribute, in the United States only, electric energy to municipalities and consumers convenient to its works and lines, justly and without unreasonable discrimination and as nearly as may be at the cost of delivery plus reasonable charges to cover the expenses of its operations, including the salaries of the commissioners, and plus such further annual charges as will be reasonably sufficient to discharge all of the obligations of said Niagara power commission so as to leave same free from debt at the end of a period of 50 years: *Provided*, That no distribution or sale of such energy shall be made for consumption within the corporate limits of any municipality which may be able, willing, and ready to assume the distribution of same therein."

"Sec. 7. That all municipalities receiving electric energy from said Niagara power commission shall in turn distribute so much of same as may not be required for municipal purposes to consumers within their corporate limits for a fair, just, and reasonable charge and without unreasonable discrimination therein, failing which such municipality shall not be entitled to receive such electric energy."

"Sec. 8. That said Niagara power commission shall use said waters at an efficient head and with reasonable economy, and shall pay into the Treasury of the United States for all electric energy which may be generated from said waters at the rate of \$1 per annual horsepower, and no franchise or property taxes, license, or charge shall be levied upon or collected from it by any State on account of the rights and franchises granted hereby, but the power of any State to levy valuation taxes on its other property is preserved."

"Sec. 9. That said Niagara power commission may license and authorize the use and diversion of said waters for the production of electric energy for not more than five years after the passage of this act, in which event said Niagara power commission shall have the prior right to take so much of the electric energy produced therefrom as it may require, paying a reasonable charge therefor not exceeding at the rate of \$15 per annual horsepower, such electric energy to be distributed by said Niagara power commission as provided by section 6 of this act."

"Sec. 10. That the use or diversion in the United States of water from said Niagara River above, at, or below the Falls for the production of hydroelectric energy except as provided by this act shall be unlawful, and each act thereof shall constitute a separate offense and be punishable by fine of not more than \$5,000."

"Sec. 11. That this act shall take effect January 1, 1918, and the right to alter, amend, or repeal this act is hereby expressly reserved."

Mr. MILLER of Minnesota. Mr. Speaker, I make the point of order that the proposed substitute is not germane. The same motion was made in the Committee of the Whole when we began the consideration of this bill. The text of the bill which the Clerk has just read in the motion to recommit was offered as a substitute for the first paragraph of the bill under consideration. The point of order was made and quite considerably debated, and, as a result, the Chair ruled that it was not germane. If the Chair is in doubt, I shall be glad to proceed with the authorities. They are all in point, distinct and clear. The purpose of the bill under consideration is to authorize the Secretary of War to issue permits for the development of the water power at Niagara Falls. The purpose of the substitute which the gentleman offers is to create a Niagara Falls commission. The two may be related to the same subject, namely, that of water power at Niagara Falls, but they are certainly not the same subject and bear no other relation to each other. The authorities are distinct and clear.

The SPEAKER. The gentleman need not read the authorities, as the Chair has read them time and again. Does the gentleman from Alabama desire to be heard?

Mr. HUDDLESTON. I do. Mr. Speaker, the purpose of the bill has been inaccurately stated. The purpose of the bill under consideration—H. R. 20047—as stated in its title, is “for the control and regulation of the waters of Niagara River above the Falls, and for other purposes.” As an incident to such control and diversion, it is provided that the Secretary of War may issue permits to various parties; private corporations, public corporations, and other agencies, and it is further provided how these agencies shall manage and conduct themselves after the permits are issued, and the terms for the permits are specified.

It is very important in considering this question of order that we consider exactly what it is that is being attempted to be done by the bill, and it is quite desirable that we should have in view the situation at Niagara. The proposition is to authorize the use of the waters of Niagara for the generation of power. That is the real matter before the House. The detail as to whether it shall be done in one way or another is a secondary consideration. The purpose of the substitute is identical with the purpose of the bill; that is, to provide for the conversion of the waters of Niagara into power. That is the real purpose of both bills and therefore they are absolutely identical. So far as the method whereby this water is to be converted into power is concerned they are radically different, but that is a secondary matter and it is a mere detail of the main purpose which relates to the conversion of this water into power. The diversion of water, the regulation of the amount of water that is to be diverted, and how it shall be converted into power, is the real subject of both bills. The bill we have before us provides that this water may be used by a public-service agent, a public corporation, if you please, or that it may be used by a private grantee or permittee. The substitute which I offer excludes all other generating agents from using this power except one; that is, it provides for the creation of a public corporation by the Congress of the United States which shall have the duty and the business of converting this water into power. Therefore the purposes of the measures are identical, the differences are merely matters of detail and secondary, and I can not very well see how it can be held that the bill is not germane.

Mr. FLOOD. Mr. Speaker, the purpose of the pending bill is to authorize the Secretary of War to grant permits for the use of the quantity of water that the United States under the treaty with Great Britain can authorize the use of, and for the regulation of the price by the public-service commission of New York State. It also provides that this Government shall make a charge for the use of the water. It is entirely a leasing bill. It has nothing to do with Government ownership of a utility of that kind. The substitute provides that the Government can utilize this water, own the generating plants, and sell the power. It is a Government-ownership proposition. One is a leasing proposition and the other is ownership by the Government of these plants that generate power from this water. The one is not germane to the other. The substitute provides for the establishment of a Government bureau to use this water and to dispose of the power generated from it. The same question was raised in the committee the other day, the very identical proposition, and the Chairman of the committee ruled as follows:

As the Chair understands the rule, two subjects are not necessarily germane because they are related or belong to the same general class, and the question that the Chair is called on to decide is whether or not the amendment offered by the gentleman from Alabama is a substitute for the pending bill embodies a proposition different from the bill under consideration, and after due consideration the Chair is of the opinion

that, under the rule and the precedent cited by the gentleman from Kentucky [Mr. SHERLEY], the amendment is not in order, and therefore the Chair sustains the point of order.

The precedent cited by the gentleman from Kentucky was a bill authorizing a right of way for a railroad, and a substitute was offered authorizing the Government to build the railroad. The Chair held that it was not in order, as it was not germane to the bill. The gentleman from Missouri [Mr. ALEXANDER], chairman of the committee, held that that was a similar proposition to this, that this was a leasing proposition and the substitute provided for Government ownership, and that the substitute was not germane. If it was not germane then, it is not germane as an amendment to the bill at this time.

Mr. HUDDLESTON. Mr. Chairman, I omitted to call the attention of the Chair to an authority which I have on this subject. I wish to refer the Speaker to section 5909 of Hinds' Precedents.

The SPEAKER. What is it?

Mr. HUDDLESTON. Section 5909 of Hinds' Precedents. I will read the case as stated in the authority:

To a bill providing for an interoceanic canal, specifying a certain route, an amendment providing for another route was held to be germane. On January 9, 1902, the Committee of the Whole House on the state of the Union was considering the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific Oceans, when Mr. RICHARD W. PARKER, of New Jersey, proposed an amendment providing for a canal across the Isthmus of Panama.

Mr. OSCAR W. UNDERWOOD, of Alabama, made the point of order that the amendment was not germane, because, while the bill provided for a canal at Nicaragua only, the amendment provided also for a canal at another place. After debate the chairman said:

The subject matter of this bill—the enterprise upon which the House has entered—is, in the language of the bill—

“To construct a canal to connect the waters of the Atlantic and Pacific Oceans.”

The Chair is of the opinion that that is the purpose of the legislation sought; that the question of location is wholly a subordinate one, and that it is perfectly competent for Congress to reject one location and to adopt another. For instance, suppose it was a question of building a house for the purpose of storing the records of the Government and a bill was introduced to locate it on a certain square in this city. Can anybody doubt that the proposition might be amended so as to locate it upon another square?

I have examined the precedents carefully and in my opinion no precedent can be found which is so nearly like this case as the one I have just read. The precedent cited by the gentleman from Kentucky the other day—section 5887 of Hinds'—was not on all fours by any means with the question we have before us here. That was a case in which the proposition was made to grant a railroad a right of way, and an amendment was offered that the Government should on contingency own the railroad. Now, manifestly the real purpose in that bill was to grant or not to grant the railroad right of way. Hence it was wholly foreign to that purpose to propose that the Government should go into the business of owning a railroad. But we have no such antithesis in the instant case. The real purpose of the bill is to authorize the diversion of water from Niagara River for power purposes. That is the real purpose of the bill. The gentleman beclouds the issue by insisting that the real purpose has to do with granting permits; but the real purpose is to fix terms on which Congress is willing to authorize water to be taken from Niagara River for power purposes so that the rights of the Government be protected and the public welfare will be served.

That is the purpose. Now, then, it makes no difference whether that diversion is by some private agency or some public corporation, or whether the Government itself does it. That is wholly immaterial and is secondary to the main purpose of the bill.

Mr. FLOOD. Mr. Speaker, just one moment. Certainly the precedent cited by the gentleman from Alabama does not apply to this bill. The one I cited does apply.

The SPEAKER. Now, why not?

Mr. FLOOD. Because he recites a case where the change was of location—simply a change of location of the canal. The case of the railroad was a proposition to grant a right of way for the railroad. We have a bill here providing for the granting of permits to use water. The amendment offered in the railroad case was for the Government to build the railroad. It was ruled out of order. The proposition the gentleman from Alabama submits is for the Government to take this water and build a power plant, which the Government will do. The two cases are on all fours. This amendment is no more germane to the main proposition than the amendment to the railroad bill was to the original bill.

The SPEAKER. Is it not a change of agency?

Mr. FLOOD. It is not at all; it is a change of proposition.

Mr. MILLER of Minnesota. Mr. Speaker—

The SPEAKER. Does the gentleman from Minnesota desire to be heard further?

Mr. MILLER of Minnesota. Not unless the Chair is in doubt.
The SPEAKER. The Chair will hear the gentleman, although he has his mind made up.

Mr. MILLER of Minnesota. I desire to submit simply that the case cited by the gentleman from Alabama is clearly out of point—ridiculously out of point.

The SPEAKER. The Chair agrees with the gentleman from Minnesota about that.

This original bill that the House has been considering was simply to grant permits for some water above the Falls. The Chair has forgotten the number of cubic feet, but that does not make any difference. That was the sole purpose of that bill.

The gentleman from Alabama [Mr. HUDDLESTON] comes in with a proposition to create a corporation, and so forth and so on. Because both of these bills happen to have to do with the waters of Niagara River, is no reason why one proposition is germane to the other.

Fifty-eight hundred and eighty-seven of Hinds' Precedents says:

To a bill granting a right of way to a railroad, an amendment providing for the purchase of the railroad by the Government was held not to be germane. On February 28, 1898, Mr. Richard Bartholdt, of Missouri, by unanimous consent, presented the bill (H. R. 6358) authorizing the Nebraska, Kansas & Gulf Railway Co. to construct and operate a railway through the Indian Territory, and for other purposes. To this Mr. Albert M. Todd, of Michigan, proposed as an amendment a provision as follows:

"That the United States of America shall have the right to purchase the franchise rights and other property herein granted, with the road-bed, bridges, telegraph lines, and tracks, together with such other property and rights as the Government may deem necessary for the proper operation of the road, at any time after 10 years from this date, whenever the Government shall elect to exercise such right, by giving the railroad company or its assigns two years' notice of such intention to purchase," etc.

Mr. Bartholdt made the point of order that the amendment was not germane.

The Speaker, Mr. Thomas B. Reed, of Maine, said: "The Chair understands that the Government does not grant a franchise to the road, but simply gives a right of way. It does not give a charter to the road. * * * The Chair will have to sustain the point of order."

The case that the gentleman from Alabama [Mr. HUDDLESTON] cited was on a bill to construct a canal connecting the waters of the Pacific and the Atlantic Oceans. One crowd was squabbling in favor of the Nicaragua route and another in favor of the Panama route, and if there had been anyone around that happened to think it, and had suggested—

Mr. MANN. He might have mentioned the San Blas route.

The SPEAKER. Yes. So it was nothing except a squabble in that case about where they would have it.

This proposition before the Chair is an original bill simply providing for the diversion of some water above the Falls. The gentleman from Alabama [Mr. HUDDLESTON] comes in with an elaborate scheme creating a bureau, and so forth and so on, which the Chair does not think is germane, and therefore sustains the point of order that the motion is not in order.

Mr. HUDDLESTON. Mr. Speaker, I make another motion.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Motion of Mr. HUDDLESTON: That H. R. 20047 be recommitted to the Committee on Foreign Affairs.

The SPEAKER. The question is on the motion to recommit. The question was taken, and the motion was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HUDDLESTON. Mr. Speaker, I ask for a division, and pending that I make the point of no quorum.

The SPEAKER. The gentleman makes the point that there is no quorum present. The Chair will count. [After counting.] Two hundred and seventy-eight gentlemen are present, a quorum.

Mr. HUDDLESTON. Mr. Speaker, I withdraw the demand for a division and ask for the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays. All in favor of taking the vote by the yeas and nays will rise and stand until they are counted. [After counting.] Thirty-two gentlemen have arisen, not a sufficient number.

So the bill was passed.

On motion of Mr. FLOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. CLINE. Mr. Speaker, I ask unanimous consent that those Members who desire to do so may extend their remarks in the Record for five legislative days.

The SPEAKER. The gentleman from Indiana asks unanimous consent that such gentlemen as desire to do so have leave

to extend their remarks in the Record for five legislative days.

Mr. GARNER. On this bill.

The SPEAKER. On this bill. Is there objection?

Mr. MANN. I object.

The SPEAKER. The gentleman from Illinois objects, and the Chair lays before the House—

Mr. CLINE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on this bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the Record on this bill.

Mr. AUSTIN, Mr. SMITH of New York, and Mr. FLOOD made similar requests.

The SPEAKER. Is there objection to the request made by the gentlemen? [After a pause.] The Chair hears none.

Mr. OAKLEY. Mr. Speaker, I ask unanimous consent to have printed in the Record a resolution passed by the General Assembly of Connecticut indorsing the action of the President.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. HOPWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the naval appropriation bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on the naval appropriation bill. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by printing therein two resolutions adopted by the Legislature of the State of Oregon.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SCHALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the bill just passed.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. LINDBERGH. Mr. Speaker, I ask for the same privilege.

The SPEAKER. The gentleman from Minnesota [Mr. LINDBERGH] makes the same request. Is there objection?

There was no objection.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting certain resolutions adopted by the Legislature of California.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the Record. Is there objection?

Mr. MANN. Mr. Speaker, we could not hear what was said.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the Record by inserting certain resolutions adopted by the Legislature of the State of California. Is there objection?

There was no objection.

BRIDGE BILLS.

Mr. ADAMSON. Mr. Speaker, there was a special order made to consider the bridge bills on the Unanimous Consent Calendar.

WITHDRAWAL OF PAPERS.

Mr. SMITH of New York, by unanimous consent, was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Eliza M. Baxter, widow's pension bill, H. R. 5982, Sixty-third Congress, no adverse report having been made thereon.

BRIDGE ACROSS THE CUMBERLAND RIVER, TENN.

Mr. ADAMSON. The first bill is, on page 46 of the Unanimous Consent Calendar, No. 413, H. R. 18551, House Calendar No. 205.

Mr. MANN. What has become of House Calendar No. 198?

The SPEAKER pro tempore (Mr. GARNER). The gentleman from Georgia has called attention to a certain bill, and—

Mr. MANN. What has become of No. 198? The order was to call bridge bills on the calendar.

The SPEAKER pro tempore. The gentleman from Georgia will give attention to the gentleman from Illinois.

Mr. MANN. Calendar No. 198 was the first bill.

Mr. ADAMSON. It escaped my attention, because it is not on the Unanimous Consent Calendar. I do not know whether it was passed over or not.

Mr. MANN. I assume this bill has not been passed, because otherwise it would not be on the calendar.

Mr. ADAMSON. It escaped my attention; but I am willing that it should be considered.

Mr. MANN. That is the order of the House. I do not care anything about the bill.

Mr. ADAMSON. I am perfectly willing that any bill on the Unanimous Consent Calendar not contested may be called.

BRIDGE ACROSS TALLAPOOSA RIVER, ALA.

The SPEAKER pro tempore. The Clerk will call the first one.

The Clerk read the title of the bill, as follows:

A bill (H. R. 17710) authorizing the construction of a bridge across the Tallapoosa River, dividing the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the counties of Montgomery and Elmore, in the State of Alabama, be, and are hereby, authorized to construct, maintain, and operate a bridge across the Tallapoosa River, dividing the counties of Montgomery and Elmore, in the State of Alabama, at a point suitable to the interests of navigation, at a point somewhere between Judkin Ferry and Hughes Ferry, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments, as follows:

On page 1, line 5, after the word "bridge," insert the words "and approaches thereto," and on page 1, line 6, strike out the word "dividing" and insert the word "separating."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing the construction of a bridge across the Tallapoosa River, separating the counties of Montgomery and Elmore, in the State of Alabama, at a point somewhere between Judkin Ferry and Hughes Ferry."

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. MANN. It is House Calendar No. 199.

BRIDGE ACROSS ST. FRANCIS RIVER, ARK.

The Clerk read the title of the bill, as follows:

A bill (H. R. 17603) to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. ADAMSON. Mr. Speaker, I think there is a Senate bill identical with this on the Speaker's table.

The SPEAKER pro tempore. Does the gentleman know the number of the Senate bill?

Mr. ADAMSON. Yes; Senate bill No. 6956.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill in lieu of the House bill. Is there objection?

There was no objection.

The Clerk read as follows:

A bill (S. 6956) to authorize the construction, maintenance, and operation of a wagon bridge across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark.

Be it enacted, etc., That improvement district No. 1 of Cross County, Ark., be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Francis River at a point one-half mile northwest of Parkin, Cross County, Ark., and at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Without objection, the committee will be discharged from the consideration of the House bill.

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MANN, the House bill (H. R. 17603) of similar tenor was laid on the table.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. MANN. It is Calendar No. 200.

BRIDGE ACROSS RED RIVER OF THE NORTH.

The Clerk read the title of the bill, as follows:

A bill (H. R. 17602) granting the consent of Congress to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., to construct a bridge across Red River of the North on the boundary line between said States.

Mr. ADAMSON. Mr. Speaker, I will ask if this bill is not passed? It was placed on the Unanimous Consent Calendar by order of the House. I thought it was passed.

The SPEAKER pro tempore. The Chair does not understand the interrogatory of the gentleman from Georgia.

Mr. ADAMSON. I said that I thought that that bill was already passed by the House.

Mr. MANN. It is on both calendars.

Mr. DILLON. Mr. Speaker, it has not been passed.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report it.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county commissioners of Polk County, Minn., and Grand Forks County, N. Dak., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North at a point suitable to the interests of navigation, at or near where the town line between section 3, township 149, and section 33, township 150 north, range 49 west, fifth principal meridian, runs into said river, and on the boundary line between said States, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

BRIDGES ACROSS CUMBERLAND RIVER, MONTGOMERY COUNTY, TENN.

The next bridge bill on the House Calendar was the bill (H. R. 18551) granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I will ask the gentleman from Georgia [Mr. ADAMSON] whether he intends to call up by unanimous consent this morning anything except bridge bills?

Mr. ADAMSON. No; nothing was included in the order except unobjected bridge bills.

Mr. MOORE of Pennsylvania. As I understand it, after looking up the matter, the gentleman has no bridge bill for the Hudson River?

Mr. ADAMSON. No. In my previous conversation with the gentleman I had in mind a bridge over the Allegheny River.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Montgomery, in the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation, at or near the city of Clarksville, in the county of Montgomery, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

The next bridge bill on the House Calendar was the bill (H. R. 18550) granting the consent of Congress to the county of Montgomery, in the State of Tennessee, to construct a bridge across the Cumberland River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Montgomery, in the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Cumberland River at a point suitable to the interests of navigation at a point 7 or 8 miles from the city of Clarksville, in the county of Montgomery, in the State of Tennessee, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

BRIDGE ACROSS ST. FRANCIS RIVER, PARKIN, ARK.

The next bridge bill on the House Calendar was the bill (H. R. 18534) to authorize the construction, maintenance, and operation of a bridge across the St. Francis River at or near Parkin, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That O. N. Killough, and his successors and assigns, be, and he is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Francis River at or near the town of Parkin, in Cross County, Ark., at a point suitable to the interest of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. ESCH. Mr. Speaker, in line 7, page 1, I move to add the letter "s" to the word "interest."

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 1, line 7, after the word "interest," add the letter "s."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

BRIDGE ACROSS ALLEGHENY RIVER, CATTARAUGUS COUNTY, N. Y.

The next bridge bill on the House Calendar was the bill (H. R. 19298) authorizing the Western New York & Pennsylvania Railway Co. to reconstruct, maintain, and operate a bridge across the Allegheny River in the town of Allegheny, County of Cattaraugus, N. Y.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the Western New York & Pennsylvania Railway Co., a railroad corporation organized and existing under the laws of the States of New York and Pennsylvania, be, and it is hereby, authorized to reconstruct, maintain, and operate a bridge and approaches thereto across the Allegheny River on the location of the existing structure, and suitable to the interests of navigation, in the town of Allegheny, County of Cattaraugus, and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

BRIDGE ACROSS RED RIVER, BOYCE, LA.

The next bridge bill on the House Calendar was the bill (H. R. 18529) granting the consent of Congress to the police jury of Rapides Parish, La., to construct a bridge across Red River at or near Boyce, La.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the police jury of Rapides Parish, La., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River at a point suitable to the interests of navigation at or near Boyce, La., in the parish of Rapides, in the State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

Mr. ASWELL. Mr. Speaker, I move to reconsider the vote by which the bill was passed, and I move to lay that motion on the table.

Mr. ADAMSON. I will make one motion to cover all these bills.

Mr. ASWELL. Very well.

BRIDGE ACROSS RED LAKE RIVER, PENNINGTON COUNTY, MINN.

The next bridge bill on the House Calendar was the bill (H. R. 18725) granting the consent of Congress to the board of supervisors of Kratka Township, Pennington County, Minn., to construct a bridge across Red Lake River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the board of supervisors of Kratka Township, Pennington County, Minn., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red Lake River at a point suitable to the interests of navigation at or near the section line between sections 20 and 21, township 153 north, range 41 west of the fifth principal meridian, in the county of Pennington, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, lines 3 and 4, strike out the words "the board of supervisors of."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

By unanimous consent, the title of the bill was amended so as to read: "A bill granting the consent of Congress to Kratka Township, Pennington County, Minn., to construct a bridge across Red Lake River."

BRIDGE ACROSS MISSISSIPPI RIVER, BEMIDJI, MINN.

The next bridge bill on the House Calendar was the bill (H. R. 18720) permitting the building of a railroad bridge across the Mississippi River at Bemidji, in the State of Minnesota.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Minneapolis, Red Lake & Manitoba Railway Co., a railway corporation organized under the laws of the State of Minnesota, to construct, maintain, and operate a railroad bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, from a point on the east bank of said river in lot 2 of section 16, township 146, range 33 west, to a point on the west bank of said river in lot 1 of said section 16, all in Beltrami County, Minn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, strike out the word "railroad."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

BRIDGE ACROSS ST. FRANCIS RIVER, CRAIGHEAD COUNTY, ARK.

The next bridge bill on the House Calendar was the bill (H. R. 18815) to authorize the construction and maintenance of a road across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

Mr. ADAMSON. Mr. Speaker, a Senate bill of like import is on the Speaker's table, and I ask that that be taken up and considered in lieu of this bill.

The SPEAKER pro tempore. What is the number of the Senate bill?

Mr. ADAMSON. S. 7367.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill in lieu of the House bill.

There was no objection.

The bill (S. 7367) to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark., was read, as follows:

Be it enacted, etc., That the county of Craighead, a corporation organized and existing under the laws of the State of Arkansas, its successors and assigns, be, and they are hereby, authorized to construct and operate a bridge and approaches thereto across the St. Francis River at or near the intersection of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark., at a point suitable to the interest of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

By unanimous consent, at the request of Mr. ADAMSON, the bill (H. R. 18815) was ordered to lie on the table.

DAM AND BRIDGE ACROSS MAHONING RIVER, LOWELLVILLE, OHIO.

The next bridge bill on the House Calendar was the bill (S. 7556) to grant to the Mahoning & Shenango Railway & Light Co., its successors and assigns, the right to construct, complete, maintain, and operate a combination dam and bridge, and approaches thereto across the Mahoning River near the borough of Lowellville, in the county of Mahoning and State of Ohio.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The bill was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Mahoning & Shenango Railway & Light Co., and its successors and assigns, to construct, complete, maintain, and operate a combined dam and bridge, and approaches thereto, across the Mahoning River, near the borough of Lowellville, in the county of Mahoning, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, and amended June 23, 1910, and the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the parts thereof constructed prior to June 14, 1916, are hereby legalized, subject to the provisions of this act.

SEC. 3. That in addition to the provisions of the above-mentioned acts respecting alterations or removal of the structure herein authorized the right is hereby reserved to require its alteration or removal, at the expense of the persons owning, controlling, or operating the structure, in the event that the United States improve the Mahoning River for navigation or participate in the improvement thereof, and in the event that interests other than the United States improve the river for navigation the right is reserved to require alteration or removal of that portion of the structure built subsequent to June 14, 1916, the expense thereof to be a matter for adjustment between the persons owning, controlling, or operating the structure and those making the improvement.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. This bill is different from the ordinary, in that it provides for the authorization of a dam. I wish to inquire whether this is for the purpose of generating water power, or merely as an incident to the bridge?

Mr. COOPER of Ohio. The concrete structure is placed there to back up the water so that they can use it for the plant. The river is very shallow, and they have to have a dam to back up the water in order to get the water to use. It is not for any hydroelectric purpose at all.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

BRIDGE ACROSS PEARL RIVER, MISS.

The next bridge bill on the calendar was the bill (H. R. 19239) granting the consent of Congress to the county of Pearl River, Miss., and the fourth ward of the parish of Washington, La., to construct a bridge across Pearl River, between Pearl River County, Miss., and Washington Parish, La.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Pearl River, Miss., and the fourth ward of the parish of Washington, State of Louisiana, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Pearl River at a point suitable to the interests of navigation, at or near the fourth ward of the parish of Washington, State of Louisiana, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

BRIDGE ACROSS FLINT RIVER, BAINBRIDGE, GA.

The next bridge bill on the calendar was the bill (H. R. 20574) granting the consent of Congress to the county commissioners of Decatur County, Ga., to reconstruct the bridge across the Flint River at Bainbridge, Ga.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county commissioners of Decatur County, Ga., and their successors and assigns, to reconstruct, maintain, and operate a bridge and approaches thereto across the Flint River, at a point suitable to the interests of navigation, in the county of Decatur, in the State of Georgia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

BRIDGE ACROSS ARKANSAS RIVER.

The next bridge bill on the calendar was the bill (H. R. 20535) permitting the Conway County bridge district to construct, maintain, and operate a bridge across the Arkansas River, in the State of Arkansas.

The SPEAKER pro tempore. Is there objection?

Mr. ADAMSON. Mr. Speaker, I think there is a Senate bill, S. 8105, on the Speaker's table. I ask that it be laid before the House in lieu of the House bill.

The SPEAKER pro tempore. The Clerk does not find it, and it is possible that it has been referred to the gentleman's committee.

Mr. ADAMSON. Then, I ask to have the committee discharged and the bill considered.

Mr. MANN. We can not do that.

The SPEAKER pro tempore. Without objection, this bill will be laid aside temporarily.

BRIDGE ACROSS MISSISSIPPI RIVER, MINN.

The next bridge bill on the calendar was the bill (H. R. 20297) granting the consent of Congress to the county of Beltrami, Minn., to construct a bridge across the Mississippi River in said county.

The SPEAKER pro tempore. Is there objection?

Mr. ADAMSON. Mr. Speaker, a similar bill, S. 7924, is on the Speaker's table.

The SPEAKER pro tempore. Without objection, the Senate bill will be laid before the House instead of the House bill.

The Clerk read the Senate bill (S. 7924), as follows:

Be it enacted, etc., That the county of Beltrami, in the State of Minnesota, be, and it is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, in section 22, township 146 north, range 30 west, fifth principal meridian, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The House bill (H. R. 20297) was laid upon the table.

BRIDGE ACROSS FOX RIVER, LAKE COUNTY, ILL.

The next bridge bill on the calendar was the bill (H. R. 14074) granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River which passes through Pistakee Lake and Nippersink Lake, a point suitable to the interests of navigation, at or near their point of intersection, in the county of Lake, State of Illinois.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the village of Fox Lake, in the county of Lake, State of Illinois, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across both arms of the Fox River which passes through Pistakee Lake and Nippersink Lake, a point suitable to the interests of navigation, at or near their point of intersection in the county of Lake, in the State of Illinois, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The following committee amendments were read:

Page 1, line 7, strike out the words "Which passes through" and insert in lieu thereof the words "where it connects."

Page 1, line 8, after the word "Lake" insert the word "at."

Page 1, lines 8 and 9, strike out the words "at or near their point of intersection."

At the end of section 1 insert the following:

"SEC. 2. That the act approved October 22, 1914, entitled 'An act to authorize Frank H. Gardiner to construct a bridge across the waters of Pistakee Lake and Nippersink Lake at or near their point of intersection,' is hereby repealed."

Renumber section 2 to be section 3.

Amend the title to read as follows: "Granting the consent of Congress to the village of Fox Lake, in the county of Lake, State of Illinois, to construct a bridge across both arms of the Fox River where it connects Pistakee Lake and Nippersink Lake at a point suitable to the interests of navigation, in the county of Lake, State of Illinois."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. ADAMSON. Now, Mr. Speaker, in the case of the bill S. 8105, I ask unanimous consent to discharge the committee from the consideration of the Senate bill and consider it now.

The SPEAKER pro tempore. But the engrossed copy is not here.

Mr. ADAMSON. I ask that when the bill is found it may be considered.

Mr. MANN. We can not make any agreement of that sort now.

Mr. ADAMSON. The gentleman from Arkansas desires to pass the House bill for fear that the other may not turn up. The trouble is he does not know whether it has been passed by the Senate at all, and I ask that the House bill be now considered.

Mr. MANN. I object.

On motion of Mr. ADAMSON, a motion to reconsider the votes whereby the several bridge bills were passed was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 18542, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table the legislative, executive, and judicial appropriation bill, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I suggest to the gentleman that he make his request to take the bill from the Speaker's table and disagree to all of the Senate amendments except amendments numbered 5, 20, 61, 62, and 71. Then, I think, some one the other day asked also that Senate amendment No. 58 be excepted.

Mr. BYRNS of Tennessee. The gentleman from Pennsylvania made some inquiries about it, but I do not think he asked for a separate vote upon it.

Mr. MANN. Very well.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 18542, the legislative, executive, and judicial appropriation bill, and disagree to all of the Senate amendments except amendments numbered 5, 20, 61, 62, and 71.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report Senate amendment No. 5.

The Clerk read as follows:

Page 20, of the printed bill, strike out all of lines 1 to 19, inclusive, which reads as follows:

Clerk hire, Members and Delegates: To pay each Member, Delegate, and Resident Commissioner, for clerk hire, necessarily employed by him in the discharge of his official and representative duties, \$2,000 per annum, in monthly installments, \$880,000; or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, shall be entitled to payment under this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointments.

And insert in lieu of the matter stricken out the following:

Clerks to Members and Delegates: For clerk or clerks to each Member, Delegate, and Resident Commissioner, \$2,000 per annum, in monthly installments, \$880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, are authorized to appoint a clerk or clerks from the date of the commencement of their terms respectively whose compensation shall be paid from this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointment and be paid in the same manner as other employees of the House are paid.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House disagree to the Senate amendment.

Mr. SIMS. Mr. Speaker, I have a preferential motion. I move to concur in the Senate amendment with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] moves to concur in the Senate amendment with an amendment, which the Clerk will report.

The Clerk read as follows:

For a clerk to each Member, Delegate, and Resident Commissioner, at \$1,500 per annum, in monthly installments, \$660,000, or so much thereof as may be necessary: *Provided*, That such clerks shall be placed on the roll of employees of the House and be paid in the same manner

as other employees of the House are paid and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and to pay each Member, Delegate, and Resident Commissioner for stenographic or other clerical services during the session at the rate of \$75 per month, so much as may be necessary is appropriated. And Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House of Representatives, in accordance with the provisions of section 31 of the Revised Statutes, are hereafter authorized to appoint the clerk at \$1,500 per annum from the date of the commencement of their terms, respectively, and shall be entitled to the payment for stenographic or other clerical services during the session at the rate of \$75 per month. That all laws and parts of laws in conflict with this amendment are hereby repealed.

Mr. STAFFORD. Mr. Speaker, I reserve the point of order upon the amendment proposed by the gentleman from Tennessee.

Mr. IGOE. Mr. Speaker, I make the point of order.

Mr. SIMS. What is the point of order?

Mr. IGOE. That the amendment is not germane; that it seeks to change the matter that has been agreed upon by the two Houses.

Mr. STAFFORD. Mr. Speaker, the gentleman from Missouri [Mr. IGOE] has stated the grounds of the objection to the amendment offered by the gentleman from Tennessee [Mr. SIMS]. The amendment under consideration is one solely related to clerk hire, providing for the annual compensation of \$2,000 per annum. The Senate in their judgment placed a limitation upon that, providing that these clerks should be placed upon the roll of the House and making them employees of Congress. The amendment offered by the gentleman from Tennessee [Mr. SIMS], which is now under consideration, to which objection is made that it is not germane, goes to the extent of creating an additional employee, namely, that of a stenographer during the sessions of Congress, who shall receive a special salary during that time. There is only one subject under consideration here, and that is Members' clerks receiving \$2,000 per annum. The only thing in disagreement between the two Houses is not the salary—

Mr. MANN. There is nothing in disagreement between the two Houses in this amendment. The gentleman from Tennessee has moved to disagree, but there is nothing in disagreement yet.

Mr. STAFFORD. The only thing wherein there is any difference between the two Houses is that the Senate has seen fit to place these clerks on the permanent roll of Congress. The gentleman from Tennessee [Mr. SIMS] attempts to divide up the subject and create, instead of one clerk, a clerk and an additional stenographer. That is not germane. Suppose there was a bill brought into the House providing merely for one clerk at \$2,000 a year. The gentleman could not then come in and provide for an additional clerk, more than one, of a different character entirely, the employment being sessional. This provision relates to a clerk during the entire Congress. He might amend the provision so far as placing them upon the roll is concerned, but he could not create two or three or four additional clerks or stenographers to Members of Congress, to be employed during the session, as he seeks to do in the amendment which he offers.

Mr. FITZGERALD. Mr. Speaker, what is pending before the House now is the Senate amendment, not the House provision alone. The Senate amendment strikes out the House provision and provides for clerical services to Members of the House. The Senate amendment proposes to appropriate a sum of money to be paid in certain ways and provides that the persons designated by the Members shall be placed upon the rolls and that the Member may designate one or more persons to be placed upon the rolls to be paid as clerks out of this fund, so that the provision that is now pending before the House—the Senate amendment—provides for one or more clerks as the Members may indicate. The gentleman from Tennessee [Mr. SIMS] simply proposes to amend the pending provision by limiting the amount that may be paid to the persons who may be employed by the Members. It is clearly germane; it is modifying and carrying out the proposal of the Senate. The gentleman from Wisconsin [Mr. STAFFORD] makes the mistake of arguing that the House provision is before the House. It is not. It is stricken out.

Mr. MANN. Yes; but the gentleman will admit, on a motion to disagree, which is pending now, on a preferential motion, the question is whether the House insists upon its original provision or takes the Senate provision; and that gives us, under the guise of an amendment to the Senate, an opportunity to consider both questions.

Mr. FITZGERALD. The gentleman is correct; but the Senate provision broadens the provisions of the original House provision to such an extent that amendments that might not be germane to the House provision are germane as amendments to the Senate amendments because of the character of the provision.

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Yes.

Mr. MANN. Did not the Chair hold when this bill was up for consideration in the Committee of the Whole House on the state of the Union under the item which is now in the bill as a House provision, or practically the same item, it was in order to offer as an amendment to that a germane amendment, to wit, the stenographic item?

Mr. FITZGERALD. I believe the Chair did, but I have not said much about that decision.

Mr. MANN. Well, I know I thought it was a bad decision at the time, but that is a precedent.

Mr. FITZGERALD. That ruling was made, but the provision inserted by the Senate is so different and so much more comprehensive—not for one clerk, not a payment of Members' allowance for clerk hire, but a provision for the payment of clerks to be designated by the Member, either one or more as he may see fit. That is the difference from the original House provision which makes in order the provision of the gentleman from Tennessee.

Mr. PAGE of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. FITZGERALD. I will.

Mr. PAGE of North Carolina. I want to call the attention of the gentleman to the fact that the language placed in the bill by the House in the last four lines:

And any Member, Delegate, or Resident Commissioner may appoint one or more clerks.

Under that language the language before in the House amendment was under consideration.

Mr. FITZGERALD. The Senate amendment is radically different in that it provides for the payment of clerks rather than the payment to the Member of the allowance, and provides that the Member may designate one or more clerks, so that the limitation of the gentleman from Tennessee upon the compensation and the time during which the same may be employed, in my opinion, is clearly germane.

Mr. SIMS. Mr. Speaker, the gentleman from Wisconsin [Mr. STAFFORD] did not seem to understand the language of my amendment as to the second part of it. I did not provide in my amendment for the appointment of additional clerks or any clerk except one. The Senate amendment authorizes the appointment of one or more clerks. My amendment authorizes the appointment of one at \$1,500, he to go on the rolls of the House, like the Senate amendment. Then my further amendment is that an allowance for stenographic and other clerical services be allowed to each Member of the House. The existing law is an allowance of \$1,500 to Members for clerical services; but I propose in this amendment to change the Senate amendment in the amount paid to one clerk to be appointed by the Member as the clerk whose name goes on the rolls of the House, and an appropriation of \$75 a month during the sessions of Congress to each Member for stenographic and other clerical services.

Mr. MANN. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. MANN. The gentleman's amendment provides that a Member-elect may appoint clerks whose compensation shall be paid from this appropriation?

Mr. SIMS. There is no change in the Senate language except making it only one clerk and making it \$1,500, as far as that part of the amendment is concerned.

Mr. MANN. I suppose the gentleman has carefully considered it, and I have a conundrum to propound to him. The Senate language is with relation to Members-elect who have filed their certificates, and they are authorized to appoint immediately a clerk or clerks from the date of the commencement of their terms, respectively, whose compensation shall be paid from this appropriation. The date of the commencement of the term of the Member-elect who has filed his certificate is March 4 next. Now, the Senate amendment—nothing is ever carefully considered in the Senate relating to the House; it is a sloppy amendment at best in form—but the Senate amendment clearly provides that this increase in compensation shall commence on March 4. Does the gentleman's amendment do that, too?

Mr. SIMS. My amendment is simply a copy of the Senate amendment, except to the extent that I have mentioned. I suppose the Senate intended by its amendment that the payment of salaries should begin earlier than the House bill provided.

Mr. MANN. I do not suppose the Senate knew what it intended.

Mr. SIMS. I do not care to discuss the point of order further if the Chair is ready to rule.

The SPEAKER. The Senate provision or amendment is:

Clerks to Members and Delegates: For clerk or clerks to each Member, Delegate, and Resident Commissioner, \$2,000 per annum, in monthly installments, \$880,000, or so much thereof as may be necessary; and Representatives and Delegates elect to Congress whose credentials in due form of law have been duly filed with the Clerk of the House

of Representatives, in accordance with the provisions of section 31 of the Revised Statutes of the United States, are authorized to appoint a clerk or clerks from the date of the commencement of their terms, respectively, whose compensation shall be paid from this appropriation: *Provided*, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and any Member, Delegate, or Resident Commissioner may appoint one or more clerks, who shall be placed on the roll as the clerk of such Member, Delegate, or Resident Commissioner making such appointment and be paid in the same manner as other employees of the House are paid.

That does two things. In the first place, it raises the clerk hire to \$2,000. Then it provides that this shall be split up, if the Representatives so desire, and paid to a number of clerks. Now, let us see what this amendment does. It says:

For a clerk to each Member, Delegate, and Resident Commissioner, at \$1,500 per annum, in monthly installments, \$660,000, or so much thereof as may be necessary: *Provided*, That such clerk shall be placed on the roll of employees of the House and be paid in the same manner as other employees of the House are paid and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed; and to pay each Member, Delegate, and Resident Commissioner for stenographic or other clerical services during the session at the rate of \$75 per month, so much as may be necessary is appropriated—

And so forth.

This amendment of the gentleman from Tennessee [Mr. SIMS] does two things. In the first place, it cuts the \$2,000 down to \$1,500, which is undoubtedly germane, and then it creates a kind of a new fund for stenographic purposes. It says:

And to pay each Member, Delegate, and Resident Commissioner for stenographic or other clerical services during the session at the rate of \$75 per month, so much as may be necessary is appropriated.

It creates a new office. The Chair does not think it is germane.

Mr. COX. Mr. Speaker, I move to recede and concur by striking out the figures "\$2,000," in line 22, page 20, and striking out the figures "\$880,000," in the same line, and inserting the figures "\$660,000."

Mr. AUSTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AUSTIN. Would the motion to concur in the Senate amendment be a preferential motion?

The SPEAKER. It would not.

Mr. IGOE. I make the point of order against the amendment that it seeks to change matter which has been agreed upon by both Houses.

Mr. AUSTIN. It has not been agreed upon.

Mr. IGOE. The amount of \$2,000 which he wants to change has not been altered by the Senate. That has not been changed by the Senate, nor the total amount. It has been agreed upon by the two Houses, and the gentleman can not now by a motion to amend change what has been agreed upon by both Houses.

The SPEAKER. Does the gentleman make the point of order it is not germane?

Mr. IGOE. I make the point of order that it is not in order, for the reason that the gentleman is trying by his amendment to change a matter which has been agreed upon by both Houses.

The SPEAKER. How did they agree upon it?

Mr. IGOE. Because in both amendments the amount of \$2,000 and the amount of \$880,000 have been agreed upon and passed by both Houses. The amounts are exactly the same in both bills.

The SPEAKER. The House is trying to do exactly what the gentleman from Missouri seems to assert that it has done.

Mr. IGOE. The House has already in its amendment fixed \$2,000 in its bill. The Senate has passed the \$2,000. Now, the gentleman is trying by his motion to bring the House back again to a consideration of a matter which has been agreed upon by both Houses.

Mr. MANN. It has neither agreed nor disagreed yet.

Mr. IGOE. But if the two Houses have agreed upon something—

Mr. FITZGERALD. But they have not agreed.

Mr. IGOE. Why have they not? Mr. Speaker, we have a bill here which the Senate—

The SPEAKER. The House will be in order. The Chair has to hear this argument even if nobody else does. The trouble with the gentleman from Missouri [Mr. IGOE] is that he is trying to apply the rules to the next stage of the conference report.

Mr. IGOE. The gentleman from Indiana [Mr. COX] moves to concur with an amendment, and I make the point that his amendment is not in order. I submit he can only offer an amendment to a matter in dispute which has not been agreed upon by both Houses.

The SPEAKER. Now, what is it the gentleman contends that both Houses have agreed on?

Mr. IGOE. I contend they have agreed upon the clerk hire to the amount of \$2,000 in monthly installments, and \$880,000, and the gentleman is trying to change that by amendment.

The SPEAKER. What is the situation? The House passed the bill, and any amendment of the Senate that is germane is in order.

Mr. IGOE. The Senate did not change it as to the amount.

Mr. MANN. Mr. Speaker, the gentleman's difficulty is, I think, just as though the House had passed a bill fixing \$1,000,000 appropriation, and the Senate had passed a Senate bill for the same purpose, fixing \$1,000,000 appropriation, and the gentleman would contend that inasmuch as both Houses had fixed \$1,000,000 appropriation, hence neither House could amend the action of the other House. We have not agreed on the language.

The SPEAKER. We have not agreed on the language.

Mr. MANN. They have stricken out our language and inserted other language. There has been no agreement or disagreement as yet.

The SPEAKER. The gentleman from Indiana will report his amendment.

Mr. COX. On page 20, strike out "\$2,000" and insert in lieu thereof "\$1,500," and in the same line strike out "\$880,000" and insert "\$600,000."

Mr. MANN. Now, what is the motion?

Mr. COX. To recede and concur.

The SPEAKER. The motion is to recede and concur.

Mr. MANN. Not recede, but concur with an amendment. On that I ask for a division of the question.

The SPEAKER. In the first place, the Chair overrules the point of order made by the gentleman from Missouri [Mr. IGOE].

Mr. MANN. All there is to it is a difference between receding and concurring; that is all.

The SPEAKER. The Chair did not understand the gentleman.

Mr. MANN. The gentleman's motion is to concur with an amendment.

The SPEAKER. Yes.

Mr. MANN. I ask for a division of the question so as to have the amendments voted on separately and then the question of concurrence voted on separately.

The SPEAKER. The question would come first on the amendment, then.

Mr. MANN. Certainly.

The SPEAKER. The question is on the amendment offered by the gentleman from Indiana [Mr. Cox].

Mr. BYRNS of Tennessee and Mr. CALDWELL rose.

The SPEAKER. The gentleman from Tennessee is in charge of the bill. The Chair will recognize him first.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. Cox].

The SPEAKER. The gentleman from Indiana is recognized for five minutes.

Mr. COX. Mr. Speaker and gentlemen of the House, I do not know that I will consume the five minutes allowed me.

When this bill with this amendment was going through the House I took occasion to express my views very forcibly against the amendment. I can not bring my mind to the conclusion that we are justified in voting to increase the salary of our clerks. I have no words of condemnation against the clerk of any Member of this House. On the other hand, I know that these clerks do splendid work. I know in addition that a great many Members undertake to justify their vote on this increased salary upon the ground that our clerks and stenographers do not get as much pay as the clerks and stenographers of the Senate. And yet I undertake to say that the clerks of the Senators and their stenographers are now being paid more than 99 out of every 100 of them can get in private employment to save their lives. I undertake to say that the vast majority of our clerks and our stenographers are to-day getting more money and better salaries for shorter hours of labor than they can get the private establishments to pay to save their lives.

In my opinion this is nothing in the world but an absolute voluntary contribution, deliberately voted out of the Treasury of the United States into the hands of our private secretaries, and voted at a time of impending danger, when the patriotism of every Member of the House wells to the front and compels him to vote every dollar of money that may be needed in order to support our Army and our Navy. This increase of \$260,000 or \$270,000 to our secretaries, of course it will be argued, is not much. It is not much as we count appropriations here, teeming into the millions. But in my judgment the time has come—it is here now; it is knocking at the door of every Member of this House; it is appealing to his conscience as well as to his patriotism—to conserve the resources

of our Treasury in every way we possibly can, and we can conserve those resources here by adopting my amendment, which will save \$260,000 or \$270,000. If it would do any good, if it would bring any more effective or any more efficient service to us that would enable us to do more work, that would be a different proposition entirely, but it will not. If given this increase of salary from \$1,500 to \$2,000 per year, they will be no more efficient than they are now; not one whit more.

Mr. LANGLEY. Mr. Speaker, will the gentleman yield?

Mr. COX. I will yield for a question.

Mr. LANGLEY. Does the gentleman mean to say that he gets all of his work done for the present allowance?

Mr. COX. No; I do not mean say that at all. I have not kept an accurate account of it, but I am satisfied that I pay out in every year something like \$500 out of my own pocket; but I am willing to do it. There is nothing compulsory upon me to stay here in Congress at all. I can quit at any time I desire, and I am not willing to vote this additional burden upon the people of my district and the country that brings to me no help, no relief, if this \$2,000 is voted in here to-day. Suppose the secretary gets it all? Can he do any more work for that \$2,000 than he is now doing? I undertake to say he can not.

Now, as to the first proposition offered by the gentleman from Tennessee [Mr. Sims], I was opposed to it in committee and I am opposed to it yet. But that would not be so vicious if they were put on the salary roll. I am heartily in favor of the amendment which I have offered, which will reduce this pay from the proposed amount, \$2,000, to \$1,500 a year, and I am most earnestly in favor of putting our secretaries on the roll and letting them draw their own money. So far as I am concerned, I hold my check just long enough to indorse it and then hand it over to my secretary and never see it any more. It is her money, and she has the right to have it. But I am in favor of putting these secretaries on the roll, and I am in favor of saving this \$260,000 or \$270,000.

The people should expect of us in these trying times to economize in every way we can, even though we do it at our own expense of doing more work or paying for the extra work out of our own pockets. If our secretaries are not satisfied with their present salaries they can quickly quit and enter private employment, and when they do this few, and very few of them, will be able to earn \$1,500 per year.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to my colleague [Mr. Sims].

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. SIMS. Mr. Speaker, I offered my amendment because I thought it was in the public interest and that it would promote the public interests by serving the Members when they have the greatest amount of public work to do.

Of course, I bow to the ruling of the Speaker, because I have to, but the remark of the Speaker was that my amendment created a new office. Undoubtedly the Speaker could not have read the language carefully. My amendment provides that \$75 a month be paid to each Member of the House for stenographic or other clerical services. That does not create a new office.

The amendment proposed by the Senate puts the clerks on the rolls of the House directly, and my amendment allows \$75 a month to each Member during the sessions of the House. I think the gentleman from Indiana [Mr. Cox] is exactly right about it. When you appoint a \$2,000 clerk you are going to pay him \$2,000, because it is the will of Congress that you should do it; and when a clerk is put on the roll at \$2,000 and you are obliged to pay out any money for clerical services out of that sum you have to do it with the consent of the clerk, and the result will be that a Member will probably appoint a member of his family when he can, so that he can use that fund for the public interest by paying it out for expenses incurred in the discharge of his official duties.

Mr. COX. I will say to the gentleman that I have had opposition every two years in my district since I have been in Congress, but that opposition has not been successful.

Mr. SIMS. Everyone knows the old rule providing that you certify that you have paid or agreed to pay \$125 each month is not a clean-cut fact, as we all know that our work is heavier some months than it is during other months. At the close of the session, for example, you must get through with your correspondence rapidly and you must have a lot of extra stenographic work and typewriting done, and you must have a lot of things attended to at the departments, and if we have only our clerk to depend upon for all that work we are compelled to pay for the extra work out of our own pockets.

Now, it is in the interest of the public that each Member shall serve his people expeditiously and well, and the idea is not simply to give some man in your district a job. When a

Member has a \$2,000 clerk, he will have an application from every county in his district for the place. I do not see that the public are interested in having a man worried to death about appointing some one who thinks by reason of this action of Congress that when he gets the appointment he can only be removed by the Member, and the Member would not dare remove him except for such a cause as would be so patent as to appeal to everybody in his district as being a just cause for such removal. It is wholly impracticable. The Senate amendment ought to be disagreed to. [Applause.] I voted against both amendments when they were offered in the House. But the other body, through a thinly disguised purpose to force us to be honest, have undertaken to legislate for this body along the lines involving an implication of dishonor and discredit to us. [Applause.] There are 33 ex-Members of the House in the other body, and I am surprised that they should send over such an amendment as they have. The Senator who had charge of the amendment pointed out about a dozen committees in that body that were absolutely useless, as he said, that carried a clerical allowance of about \$5,000 to each Senator, upon such a useless, unnecessary, archaic committee; and then, to save us from discredit and dishonor they provided that we might appoint and remove our clerks, but that it would not do to trust us with the actual handling of the money with which to pay our clerical expenses. I repudiate and resent any such implication as that. And while the provision as it passed the House did not suit me, and does not now, and I voted against both, we certainly ought to be trusted to look to the integrity of our own Members, and we do not propose to concur in an amendment which if concurred in will be regarded all over the country by implication as in the nature of a confession, and that we are afraid to face the music. If there are any dishonest Members in this House who pocket this money, let us get rid of them. Let us have an investigation, for that seems to be the order of the day, by a special committee or otherwise, and bring out the facts before we legislate in a way that tacitly admits by such legislation that this charge or implication is true. I hope the Senate amendment will be disagreed to with energy and emphasis, and let us look after our own affairs in our own way, as they do. I think it is necessary to the proper cooperation of these coordinate legislative bodies that they should not act in such a way as by implication or otherwise to bring discredit on a single Member of either body. Let there be absolute proof of misuse of these funds before any such legislation is enacted. But in the interest of the public service, we need the most money for clerical assistance when we are doing the most work. Under the Senate amendment our clerks during the summer vacations would be getting \$2,000 a year to stay at home and do absolutely nothing, while during the sessions of the House they would be getting all of the \$2,000 allowed by the Senate amendments, while Members are paying out of their own pockets for every dollar's worth of extra clerical work they have done, and which they must have done or else neglect their official business.

Mr. HAMLIN. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman.

Mr. HAMLIN. If I get the gentleman's idea, from what he says he objects to the Senate amendment because it places the clerks on the roll. Am I right?

Mr. SIMS. I object to the amount as well.

Mr. HAMLIN. The gentleman objects to putting them on the roll.

Mr. SIMS. I do not object to putting them on the roll if it is done on our own initiative.

Mr. HAMLIN. I was going to say that the gentleman's amendment, as I understood it, did provide for placing them on the roll.

Mr. SIMS. One clerk at \$1,500.

Mr. HAMLIN. What is the difference between putting a clerk on the roll at \$1,500 and putting him on at \$2,000, so far as putting him on the roll is concerned?

Mr. SIMS. There is no difference in so far as the implication is concerned. I admit that. But I wanted to have an opportunity to offer an amendment providing for extra money during the sessions of the House, and I did not think I could do it in any other way except by concurring in the amendment with an amendment without it being subject to a point of order. That is the only reason on earth I did it. Had it been held germane, in discussing it I would have said just what I have said now, not that I was concurring in the action of the Senate in saying that our clerks should be put upon the roll on the implication that it was not safe to trust us with the money.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from New York [Mr. CALDWELL].

Mr. CALDWELL. Mr. Speaker, this matter has been very thoroughly discussed in this House. I think practically every Member has made up his mind what he is going to do about it. There is only one thing that presents itself to my mind now, and that is that when this question was being discussed in the Senate a certain Senator stated that the reason why this amendment was proposed was because a certain Representative over here, the chairman of one of our most important committees, had said this House would agree to it, or words to that effect. I understand from the Member of this House that that statement was not true, and I want to call attention to it now to give him an opportunity, without naming him, to come on the floor of this House and denounce the statement as not having been made by him. That is all I have to say about it.

Mr. BYRNS of Tennessee. Will the gentleman yield back the balance of his time?

Mr. CALDWELL. I yield back the remainder of my time.

The SPEAKER. The gentleman yields back three minutes.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, when this matter was discussed in another place, which can not properly be referred to under the rules of this House, even in temperate and moderate language, this statement was made:

I desire to say that nothing was done until after I conferred with the chairman of the Appropriations Committee of the other House [Mr. FITZGERALD]. I knew it was a very delicate matter, and so I conferred with him. He said he did not think the House would have any objection to the provision, and we would go into conference and thresh it out.

That is all that is pertinent to what I wish to say. Mr. Speaker, I myself do not make a habit of repeating what is said in private conference with another person when I appeal to him, or when an appeal is made to me for information about any matter. Whenever I do believe it to be necessary to state what occurred in such conference I take particular care to see that what I say accurately represents what was said.

The statement which I have just read is inaccurate. It is not only inaccurate as to what I said, but it is inaccurate as to what actually happened. After the Senate committee had determined to amend this provision a Member of that body called at the room of the Committee on Appropriations and stated that the Senate was proposing to make this modification; that some Members of that body were fearful that the House would resent any attempt on the part of the other body to interfere or to regulate its affairs; that before doing anything definite he desired to ask my opinion as to what the attitude of the House would be. I stated to him that there was very emphatic opposition among Members of the House to a provision placing the clerks of Members on the rolls. I named two Members of the House, prominent Members, one upon each side, who, I informed him, had repeatedly in the past vigorously opposed any such provision, and that I was confident if the matter were brought up in this way they would follow their course on former occasions. I said that my own personal opinion, as far as I was personally concerned, was that I was indifferent and would as lief have clerks on the rolls as not, but I made no attempt whatever either to commit the House or to indicate in any way that Members of the House desired the Senate to interfere in the matter or would acquiesce in any action taken by the Senate.

Of course, Mr. Speaker, I know that Members of the House resented the suggestion that I had attempted in any way to have the affairs of this House regulated by the other body, and if I had done so, their resentment would have been justified. I have some cause for resentment myself, that anyone should quote me as favoring action upon the part of another body to do something that I knew would be resented, and that I made it as clear as I could, would be resented if attempted. [Applause.]

I suppose one moral that recent events in the Capitol seem to emphasize is that whenever the chairman of any committee of this House holds a private conversation with another person he should make certain to have witnesses present. [Applause.] But, Mr. Speaker, so that there may be no misunderstanding—and I regret that it is necessary to repeat the statement—the reported conversation with myself upon which the remarks of my colleague from New York were based was wholly inaccurate, and an unjustifiable report of the conversation that took place. [Applause.] I wish to make it as clear as I can that I attempted so far as I could, so far as I know the English language, so far as I understand the meaning of words, to make it clear that if the Senate attempted to do what it has always resented emphatically when done by the House—that is, to attempt to interfere with the affairs of the House, that the Members of the House would be equally sensitive and perhaps

somewhat more emphatic in resenting the action of their body than the Senate has been on similar occasions. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, there is involved in this matter a good deal more than the question of clerk hire. The rules of the two Houses that provide that Members of one House shall not in debate speak of what occurs in the other, and the practice that has always existed of one House not interfering with matters peculiarly relating to the other, has a basis of sound reason, as was well set forth in that unfortunate debate that was held in the Senate. The very moment each House undertakes to be the guardian of the morals of the other House there will be engendered bitterness between the two Houses that will result in the energy and time of Congress being expended in personal quarrels rather than in the consideration of the public business.

And this House, without regard to the amendment of the Senate, ought to say that it is able to take care of its own affairs [applause], and emphatically disagree to the amendment of the Senate; and that position should be maintained until the Senate proceeds to acquiesce in the House position touching matters that relate solely to the House. [Applause.]

Just another word further. It seems to me that Members of Congress ought to have reached the point where they are not willing by their action to express the view that they believe they are men of such doubtful character and such doubtful honesty that all manner of safeguards must be thrown around them to prevent their misappropriation of money. Men here are required to deal with matters involving millions of dollars. If they are fit to be Members of this body, they at least ought to be men of such character that they can be trusted to honestly expend \$1,500 or \$2,000 in connection with clerical hire in the performance of their public duties. [Applause.] I for one resent the imputation, no matter where it comes from, that unless provision is made for putting clerks upon the rolls they will not receive the money that is due them. If there be any Member who has not paid to his clerk the money that was due him, I do not know it, and I am quite sure that if the fact became known his constituency can be depended upon to deal with him as the facts may warrant. This I do know, that there have been a number of gentlemen, myself among them, who have not believed in the wisdom of placing clerks upon the rolls. A clerk to a Member bears a confidential relation; he must be a man with whom he may think aloud, and if for any cause there arises a situation whereby that man is no longer desirable or suitable as a clerk, the Member ought to be in a position to instantly terminate that very confidential relationship. To require him to have to send word and to go through the inconvenience and delay of having the name taken from the roll and another one substituted is to require something there is no reason for, unless you believe that you and your colleagues are unfit to be trusted with the expenditure of \$1,500 or \$2,000. I have not yet reached that point where I am willing to think that either of myself or of my colleagues in this body. [Applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. I have just come in, and have listened with interest to the gentleman from Kentucky. I notice there is this proviso on page 21, line 5:

Provided, That all clerks to Members, Delegates, and Resident Commissioners shall be placed on the roll of employees of the House and be subject to be removed at the will of the Member, Delegate, or Resident Commissioner by whom they are appointed.

I understood the point that the gentleman was making was that they could not be removed. What does the gentleman say respecting the impossibility of removing them?

Mr. SHERLEY. I did not say it was impossible to remove them, but I said a Member ought not to be put to the inconvenience of going through that prescribed process. Congress has adjourned, for instance, we will say, and a Member has reason to change his clerk—be the reason a good one or a bad one. He is required under the form that has been prescribed to send word to the Clerk of the House to have the name of the clerk changed on the roll, and, presumably, if this does not come at the end of the month there must be an apportionment of salary and a good deal of inconvenience and nuisance. The only basis that I can find for doing such—and it was, unfortunately, made the whole basis of the speeches in the Senate—is that there are some men here in Congress—and the newspapers and magazines have so stated—who are not honestly spending this money, and in order to make these men honest they propose to have this regulation. Men who are charged with matters of the highest responsibility, matters involving the honor and the safety of the Nation, have come to such poor estate that, for-

sooth, they must be tied with restrictions to keep them from misappropriating \$1,500!

Personally, I voted against the increase of salary of clerks, and am still opposed to it. The House decided otherwise, and I accept its action, and I insist we do not need the Senate's advice.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Speaker, I am opposed to the amendment offered by the gentleman from Indiana. This provision is somewhat complicated. I think it ought to go to conference. The motion made by the gentleman from Tennessee [Mr. BYRNS] ought to prevail, in my opinion. But I am not in sympathy with what is stated by the gentleman from Kentucky [Mr. SHERLEY], that we always ought to follow this rule of courtesy and that the House should never object to an item which the Senate puts in for its own employees, and that the Senate should never question an appropriation for House employees, no matter how vicious it might be. We have followed that courtesy, and I am glad, for one, that the Senate has violated it and has established a new basis for operation as between the two Houses of Congress.

Let us see how it is operated as a matter of fact. Ten years ago we appropriated for clerk hire and messenger service for the committees of the Senate \$132,240. Last year we appropriated \$426,380 for the same purpose. For assistants to Senators who are not chairmen of committees, 10 years ago we appropriated \$57,000, and recently because of this courtesy we have increased this appropriation to \$105,000. What is the net result? Ten years ago we appropriated for clerk hire for Senators and for committees in the Senate a total of \$225,840, or an average per Senator of \$2,508. Last year we appropriated for the same purpose \$533,980, or an average per Senator of \$5,562. That is what courtesy has done so far as these two branches are concerned. We have been stingy with ourselves; we have gone down into our own pockets and paid for work that the Government received the benefit of, and we have allowed the Senators to take all they wanted, and they have wanted a good deal.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield?

Mr. GOOD. I have not the time.

Mr. CLARK of Florida. It will take only a moment.

Mr. GOOD. There is another item in this bill to which I desire to refer. Take the great committees of the two Houses on the Post Office and Post Roads. Everyone knows that the House committee conducts the hearings, considers the legislation, and reports to this House, and that it does the work. What are the relations as between the two bodies so far as clerks and assistants are concerned? The Senate Committee on the Post Office has a clerk at \$2,500, an assistant clerk at \$2,000, two assistant clerks at \$1,440 each, and a messenger at \$1,440, or a total of \$8,820. The House committee, which does the work, is provided with a clerk at \$2,500 a year, an assistant clerk at \$1,500, and a janitor at \$1,000 a year, or a total of \$4,900. The Senate this year by an amendment to the bill added another assistant clerk to this committee at \$1,440, which will give them in all a total of \$10,260, as against \$4,900 for the House. So far as I am concerned, Senatorial or House courtesy will not permit the Senate to get away any longer with that kind of outrage upon the Treasury. [Applause.]

Mr. SHERLEY. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. SHERLEY. It is not that I question the need of reform in the Senate. We could spend days pointing out similar instances, but because in undertaking to correct in this way one abuse you will run into much greater ones that will involve very seriously the proper conduct of the public business.

Mr. GOOD. I agree with the gentleman. I wish it could be done in some other way, but now that the Senate has initiated the reform the House can well afford to carry it on. They have cleaned house for us, and I agree to their proposition. Now we should clean house for them. [Applause.] Ten years ago, for each Member of the House, counting committee employees and the clerk hire in committees, there was an average allowance per Representative of \$1,887. Last year we appropriated an average per Representative of \$1,910. Ten years ago there was a like average allowance per Senator of \$2,508. For the same purpose this year the Senate gets \$5,562 per year per Senator. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. Will the gentleman from Tennessee yield me one minute more?

Mr. BYRNS of Tennessee. I yield one minute more to the gentleman.

Mr. GOOD. Now, Mr. Speaker, so far as I am concerned, I have no objection at all to these clerks and employees being placed upon the rolls—I think they should be—but I do insist that this provision ought to be gone over carefully. It ought to be ironed out by the conference committee. I think we ought to vote down this amendment and motion and support the motion of the gentleman from Tennessee [Mr. BYRNS]. [Applause.]

Mr. MANN. Will the gentleman from Tennessee yield me five minutes?

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Illinois.

Mr. MANN. Mr. Speaker, friendly relations officially between the two houses of a legislative body consisting of two houses are quite essential for orderly legislation and to the enactment of good legislation. It is an easy matter to get up some controversy between the two Houses, and it would be a constant matter of controversy if either of the two Houses should undertake to run or manage the other House. The Senate is the most extravagant legislative body on earth. [Applause.] And I think that this amendment shows it is the most impudent legislative body on earth. [Applause.] And yet after this effort of the Senate to regulate our affairs I do not think we can afford to make up our minds to regulate their affairs. We necessarily have to pass in the first instance, because bills originate here, upon the number and pay of the employees of the Senate. But we ought never to think that it is our duty to regulate the extravagance in the Senate because, while we might save a few dollars out of the Treasury, the resultant effect would be controversy and ill feeling between the two Houses which might cost the Government not only millions of dollars but defeat proper and needed legislation. You can not do well with two partners who are constantly quarreling personally, and no legislative body can do good work with the two partners engaged in personal quarrels. If I had my way about it, I would not only disagree to the Senate amendment but I would adhere to the disagreement [applause], and tell them to attend to their own knitting and we will protect our own honor. There is not as much danger of our honor being injured as theirs. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Georgia [Mr. HOWARD]. [Applause.]

Mr. HOWARD. Mr. Speaker, far be it from me [laughter] to reflect in the least on that august body at the other end of the Capitol. I would not say anything on this earth about their extravagance. I do not say they are extravagant; other gentlemen say that. I would not mention anything about the little luxuries they have that we poor Congressmen can not have, because we would be ashamed to spend the people's money for them. I would not mention that mineral water nor free shaves and violet-water baths and things of that sort in the same breath with them. I would not say anything about that, but the gentleman from Illinois [Mr. MANN] is right about this thing, nevertheless. [Applause.] It is a ticklish piece of business you are fooling with here. Be ye careful. Temper even your thoughts. Above all, humble yourselves. I know, as every other Congressman in this body knows, that the people of this country are not fooled about their public servants. They know that the House of Representatives is a sort of clearing house for all legislation initiated in this Government. All good legislation originates here, and they know it. [Applause.] They know that we do most of the work, and they are not fooled about it. They know that 90 per cent of the legislative brains of this country are in this end of the Capitol. [Applause.] They not only know it now, but they have known it for 20 long years, that the real wheel horses that do the drudgery of legislation are in this end of the Capitol.

I want to address myself to the amendment of the gentleman from Indiana [Mr. Cox]. He wants to reduce our clerk hire to \$1,500. I say the people of this country realize that the Members of the House are the dynamic forces of legislation; that all this legislation that has been mentioned by the gentleman from Illinois originates here, and we have got to pass on it, and that the Senate has practically nothing to do but what the distinguished gentleman from Texas does on a great many occasions on this floor, and that is say "Amen." [Laughter and applause.] Now, I realize that the people of this country want efficiency. I am speaking for myself and my people when I say that the people of the fifth congressional district of Georgia will not begrudge me an adequate amount to get efficient clerk hire to transact their business, and I am not afraid to vote for the \$2,000, and I am going to do it. [Applause.] Another thing. I never had any guardian appointed for my honesty before I came to Congress, and I am not going to have the Senate appoint one for me now. [Applause.] If I can not spend \$2,000 honestly that is intrusted to me, I think you ought to remove me from the Committee on Appropriations, where I participate in

spending millions for the benefit of the Nation. Now, there is no use being afraid of this thing. I know that two-thirds of the House here are not 30 seconds ahead of the sheriff with a common-law judgment. They are poor men. [Laughter and applause.] There is no use to deny that. There used to be a time in the Congress of the United States when it did not make any difference whether a Congressman got \$500 or \$5,000 for clerk hire. This used to be the millionaires' club. It is to-day the poor man's retreat. [Laughter and applause.] I am not able to spend \$500 or \$600 out of my salary for clerk hire, and my folks do not want me to do it, and I do not propose to vote for any amendment put on this bill in the Senate. Repudiate it! Their arrogance and pretended dignity needs a severe shock. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, just a moment on the amendment of the gentleman from Indiana [Mr. Cox] reducing the clerk hire from \$2,000 to \$1,500. I thought that matter was settled in the discussion had in the House some time ago. It should have been settled. There may be Members who have been able to employ a sufficient number of clerks or clerks of sufficient caliber or ability to do the work incumbent upon Members' clerks for \$1,500 a year, but most of us who have been here for any considerable length of time have found it very difficult to employ a really first-class clerk for \$1,500, and many of us have been compelled, year after year, to pay a very considerable sum out of our private funds for the purpose of carrying on the public business intrusted to our charge.

There has been some comparison made here between the allowance of Members of the House and of the Senate for clerical help. There are some Members of the House who represent the same territory and the same population as is represented by two Senators. Such Members have been struggling along with an allowance of \$1,500 a year for clerical assistance, while Senators have been assisted by a clerical force drawing a total of from \$5,000 to \$8,000 a year for much the same services that Members are required to perform for their constituents. I do not complain because the Senators have been thus provided for, but I think the House has been exceedingly parsimonious. It has been very difficult for those of us who represent large areas and scattered populations to take care of the interests of our constituents as they should be cared for. In fact, most Members thus situated have been compelled to pay from their private funds for additional clerical help. I regret that we did not provide, in addition to the \$2,000 for a clerk, \$75 a month for a stenographer, at least during the session. If that provision were made, we would then make such provision with regard to clerk hire as many Members have been compelled to make by paying out of their private funds enough to make up the necessary expenditure for clerk hire above the allowance of \$1,500.

Mr. BYRNS of Tennessee. Mr. Speaker, how much time is there remaining?

The SPEAKER. Twenty minutes.

Mr. BYRNS of Tennessee. I yield four minutes to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Speaker, I just wanted to have a minute to call attention to some expenditures made in the Senate. The report of the Secretary of the Senate shows as follows:

May 4, 1916 (p. 337), dinners for 16 pages.....	\$8. 00
June 23 (p. 336), heirs Head Walter Shaw (S. Res.).....	450. 00
Apr. 22 (p. 285), 20 cases Manitou sparkling water, splits.....	160. 00
Apr. 18 (p. 283), dinners for 18 pages.....	9. 00
Apr. 3 (p. 281):	
4 cases Still Rock water.....	11. 97
10 cases White Rock water, splits.....	66. 50
Mar. 8 (p. 278), 5 cases Manitou, splits.....	40. 00
Apr. 12, 10 cases Manitou water, pints.....	90. 00
Mar. 21 (p. 277), dinners for 14 pages.....	7. 00
Mar. 3 (p. 277):	
4 cases Celestine Vichy water.....	36. 40
1 case Poland water.....	7. 00
Mar. 9, 4 cases Celestine Vichy.....	36. 40
Mar. 14, 2 cases Celestine Vichy, splits.....	18. 20
Mar. 17, 3 cases Poland water.....	21. 00
Mar. 18, 4 cases Celestine Vichy, pints.....	49. 40
From Jan. 31 to Feb. 29 (p. 274), 20 cases White Rock, splits.....	138. 00
Jan. 11 (p. 273), 4 cases Celestine Vichy.....	36. 40
Jan. 13, 2 cases Poland water.....	14. 00
Jan. 18, 2 cases Celestine Vichy, pints.....	24. 70
Feb. 1 to 19 (p. 269), 11 cases Celestine Vichy, pints.....	135. 85
Nov. 10-11 (p. 267), lunches for firemen.....	10. 50

If the House can beat that, it is traveling some. That comes out of the United States Treasury.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Mississippi [Mr. Sisson].

Mr. SISSON. Mr. Speaker, I hope the House will agree to the motion made by the gentleman from Tennessee [Mr. BYRNS], the chairman of this subcommittee, and send this item to conference. There will be no question but that so far as the two

conferees are concerned the Members at the other end of the Capitol will never get that proposition in this bill. I think it is an unwarranted piece of interference, and I am delighted to see the House so unanimous on this one proposition.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. Sisson. I will.

Mr. MILLER of Minnesota. Can the gentleman inform the House whether the Senate conferees refuse to recede from their amendment to this?

Mr. Sisson. This has never been to conference, and I will say without hesitation I am absolutely sure the Senate will not insist for one single moment on that amendment. I do not imagine it would do any good, because the position which they occupy in this matter was clearly stated by the gentleman from Kentucky [Mr. SHERLEY], that although the Senate end of the Capitol is extravagant, at the same time we have respected in the committee and we have respected in conference every item they have put in the bill and have never questioned it heretofore. And I am glad that the criticism is now made of that end of the Capitol.

It is not our province under the law, under the organization of the two Houses, under the Constitution itself. We are the judges of our own organization, of our own expenses, and the judges of our own relations. It is up to those gentlemen at that end of the Capitol to deal with their constituencies as to the expenses of their own body, but it is equally true that that right is our own. What I most resent is that there were statements made on the floor of the Senate which insinuated that there were Members of the House who were acting dishonorably and dishonest with their clerk hire. I do not know how other people feel about it, but so far as I am concerned I will never agree to put these clerks on the pay roll of the House, and especially under the circumstances that now confront us. I do not care so far as my own clerk is concerned, because I have always indorsed the check to him, and he collects every cent of it and I do not see a cent of it. But I am unwilling that the Senate shall be the custodian of the conscience of the House or any Member of the House. And I agree pretty generally with what the gentleman from Georgia [Mr. HOWARD] said, that when you take the honesty of the Members of the House and their reputation throughout the country, and measure it with that of the Senate, it stands comparison, and I do not think we will be called upon to make as many explanations as they are.

Mr. BYRNS of Tennessee. I yield three minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Speaker, a man who will not respect himself will hardly command respect in other quarters. The amendment which the Senate has seen fit to write into this bill is unwarranted, inexcusable, and almost inexplicable; but if the gentlemen here will undertake and take occasion to read the record of the discussion in the Senate at the time this amendment was made, they will find some Senators who favored it did so because they were earnestly importuned to do so by certain Members of the House. Now, I do not know who those Members were. I do not know how many of them there were, whether there was one, or a dozen, or one hundred. But apparently some of the suggestions, at least, for this unparalleled amendment came from some of the membership of the House. It is for that reason I wish to voice my protest against it, and particularly against some of the remarks that were made on the floor of the Senate when this was up for discussion. If some of those remarks had been made by a private citizen, he would either have to make good on them or stand as a defendant under a warrant for criminal slander. The remarks made by certain Senators transcended all the proprieties of decency or legislative courtesy. I trust the membership of this House will, without a dissenting vote, with disapproval say that this kind of unwarranted interference will not again occur. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. WHEELER].

The SPEAKER. The gentleman from Illinois is recognized for two minutes.

Mr. WHEELER. Mr. Speaker, after I had introduced this amendment, increasing the salaries of the secretaries to Members, quite a number of Members on both sides of the House expressed themselves that they would be glad to support that amendment if we would certify the names of the secretaries and place them on the roll. Had such an amendment been introduced at any time while that bill was under consideration I would have supported it, and had it occurred to me when I introduced that amendment, in all probability I would have embodied it in my amendment. But under no circumstances would I support that proposition now as coming from the Senate.

It is not a question of expenditure at this time, but it is a reflection upon every Member of this House for the Senate to attempt to dictate as to how we should manage our affairs; and it does seem to me that if the Senate should devote one-half of its time to its own affairs and the other half of its time in keeping out of affairs which pertain only to the House, it would be busy all the time. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I made a motion to disagree to Senate amendment No. 5 for the purpose of putting the bill and all the Senate amendments into conference, and as one of the conferees of the House it will, of course, be my duty to represent the views of the House without regard to any personal views I may have with reference to this or any other amendment.

So far as I am personally concerned, I take it that most of the Members know where I stand. I was opposed to the increase in the clerical allowance for Members of Congress, and I voted against the increase for clerical allowance. I did so for reasons that are not necessary to enumerate here now. One was that I did not think the condition of the Treasury at this particular time would justify an increase of that kind. I voted that way contrary to my own personal interests, because I say to you gentlemen that ever since I have been a Member of Congress I have paid a second clerk out of my own pocket. I have found it necessary to do that in order to properly and promptly carry on and perform the business of my constituents who have the right to command my time and attention and also to look after my many legislative duties here.

In addition to that I have always believed that Members' clerks ought to be on the roll. [Applause.] Not because I think it is necessary to protect the honesty of any Member of this House. I do not believe there is any foundation for the insinuations that are made in the newspapers throughout this country or the statements which found expression in another place in this Capitol with reference to some Members not using all the clerical hire for the purposes for which it was appropriated. I believe that the Senate did the House a service when it put the amendment on this bill. [Applause.]

I dissent from the statement of the gentleman from Minnesota [Mr. MILLER] when he said that it was possibly inspired by Members of this House. I take it that there was not a single Member of this House who approached any Senator upon the subject. The clerks to Senators are upon the roll. They are paid directly out of the Treasury. Why should not the clerks of Members be paid directly out of the Treasury? [Applause.] I say that this should be done not in order to see to it that these clerks get the money actually appropriated, because I repeat that I do not believe there is foundation for the statements made in the newspapers—and we have all seen them—to the effect that there are Members who do not use all the money for the purpose for which it is appropriated. But in view of these statements in the newspapers and in view of the insinuations that are made here and there, I believe the Members of Congress owe it to themselves to put these clerks on the roll and put a quietus forever on such statements.

I have in my hand a clipping from a daily newspaper printed a few days ago, to the effect that Members of the House would get \$2,000 more salary, while the Senators would be compelled to eke out on a salary of \$7,500. Therefore I say, in justice to ourselves and in order to put a quietus on statements of that kind, that these clerks should be put on the roll. If we do not, then those who have professed to entertain suspicions of some Members, will have their suspicions strengthened by our failure to do so. And those who fail to vote to have their clerks paid directly out of the Treasury, rather than through the Members themselves, may have to answer in the future as to why they insist on this allowance being paid directly to them, rather than to the clerks for whom it is appropriated and to whom it belongs. I call for a vote, Mr. Speaker.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman permit a question right there?

Mr. MANN. I withdraw my demand for a division of the question.

The SPEAKER. The gentleman from Tennessee demands a vote. The gentleman from Illinois [Mr. MANN] withdraws his request for a severance of the proposition. The question is on agreeing to the motion of the gentleman from Indiana [Mr. COX] to concur in the Senate amendment No. 5 with an amendment.

Mr. BURNETT. Mr. Speaker, I ask that that amendment be read.

The SPEAKER. Without objection, the Clerk will again read the amendment.

The Clerk read as follows:

Amendment offered by Mr. Cox: To concur in the Senate amendment with an amendment, striking out "\$2,000," on page 20, line 22, and inserting in lieu thereof "\$1,500," and in the same line striking out "\$880,000" and inserting in lieu thereof "\$660,000."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. COX. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 52, yeas 196.

So the motion was rejected.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask for the reading of the other amendment, numbered 20.

Mr. MANN. Oh, no. We have not disposed of your motion yet.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee [Mr. BYRNS] to nonconcur in Senate amendment numbered 5.

The question was taken, and the motion was agreed to.

Mr. MANN. Mr. Speaker, I move that the House adhere to its disagreement to Senate amendment numbered 5.

The SPEAKER. The gentleman from Illinois moves that the House adhere to its disagreement to Senate amendment numbered 5. The question is on agreeing to that motion.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. COX. Division, Mr. Speaker.

The House divided; and there were—ayes 221, yeas 13.

Mr. COX. I ask for the yeas and nays, Mr. Speaker.

The yeas and nays were refused, seven Members, not a sufficient number, rising to second the demand.

Accordingly the motion was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 20.

The Clerk read Senate amendment No. 20, as follows:

Page 37, in line 25, after the figures "\$12,000," insert "Assistant to the Secretary, at the rate of \$5,000 per annum, from March 1, 1917, to June 30, 1918, both dates inclusive, \$6,666.67."

Mr. BYRNS of Tennessee. I move that the House nonconcur in the Senate amendment.

The SPEAKER. The gentleman from Tennessee moves that the House nonconcur in the Senate amendment No. 20.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 197, yeas 4.

Accordingly the motion to nonconcur was agreed to.

The SPEAKER. The Clerk will report Senate amendment No. 61.

The Clerk read Senate amendment No. 61, as follows:

On page 120, line 4, insert the following:

"The office of postmaster in each class shall hereafter be a non-political office and shall be within the classified civil service, and appointments thereto shall be made in accordance with the civil-service rules and, so far as practicable, by promotion or transfer upon merit, without regard to politics, from the employees of the Post Office Department, subject to the permanent civil-service regulations and requirements."

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House nonconcur in the Senate amendment.

Mr. MANN. I offer a preferential motion. I move that the House concur in the Senate amendment.

Mr. MOON. I move to concur in Senate amendment No. 61 with an amendment.

Mr. MANN. The gentleman's motion is preferential.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves to nonconcur. The gentleman from Illinois [Mr. MANN] moves to concur. The gentleman from Tennessee [Mr. MOON] moves to concur with an amendment, which is a preferential motion. The Clerk will report the motion of the gentleman from Tennessee [Mr. MOON].

The Clerk read as follows:

Mr. MOON moves to concur in Senate amendment 61 with an amendment, as follows:

Insert following the word "retirements," line 10, page 120, the words: "Provided, That postmasters now in office or who may be appointed before the 30th day of December, 1917, shall not be subject to removal except under the laws, rules, and regulations now existing, or subjected to examination under civil-service rules and regulations: *Provided, however,* That in special cases, at any time where the Postmaster General deems the same necessary, he may direct a civil-service examination of any postmaster in the service, and if such postmaster on examination be found incompetent the Postmaster General shall then order a competitive civil-service examination for postmaster at such office, and shall designate an acting postmaster to serve until such examination is had and permanent appointment made: *Provided further,* That from and after the taking effect of this act no postmaster shall serve as such for more than eight years of continuous service, and no person shall be designated as postmaster who has not been a patron for 12 months of the local office to which he is appointed immediately prior to appointment."

Mr. FITZGERALD. Will the gentleman permit me to suggest that the amendment should be modified to read "after the Senate amendment"?

Mr. MANN. "By adding."

Mr. FITZGERALD. The amendment should read "by adding to the Senate amendment."

Mr. CLARK of Florida. Mr. Speaker, I desire to offer a motion to concur with an amendment, which should come in the first line of the Senate amendment. Can I offer that now?

Mr. MANN. There is only one way in which that amendment can be offered, and that is by demanding a division of the motion to concur with an amendment. Then, when the division is ordered, the Senate amendment is open to amendment.

Mr. CLARK of Florida. Mr. Speaker, I demand a division of the question.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves to nonconcur in the Senate amendment, and the gentleman from Tennessee [Mr. MOON] makes a preferential motion to concur in the amendment with an amendment. Now, the gentleman from Florida demands a division of the question. The question is on the amendment offered by the gentleman from Tennessee [Mr. MOON].

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. COX demanded a division.

Mr. MOON. Mr. Speaker, is not this amendment subject to debate? I understood the gentleman from Tennessee that he would yield some time for debate.

The SPEAKER. No one seemed to want to debate it. How much time does the gentleman from Tennessee yield to his colleague?

Mr. BYRNS of Tennessee. I will yield 10 minutes.

Mr. BURNETT. Mr. Speaker, when the House is dividing how can there be debate?

Mr. BYRNS of Tennessee. Mr. Speaker, I was on my feet to yield to the gentleman from Tennessee and had turned to him, asking him how much time was wanted, when the Chair put the question.

The SPEAKER. The Chair thinks that the House is entitled to debate the amendment.

Mr. BURNETT. I make the point that debate is not in order.

The SPEAKER. The point of order of the gentleman from Alabama does not apply until after the division. The Chair likes to be fair with everybody. No one seemed to want to debate it, the Chair thought, and the Chair wanted to expedite business.

Mr. STEPHENS of Nebraska. Mr. Speaker, would a motion be in order to offer a substitute for the amendment of the gentleman from Tennessee [Mr. MOON]?

The SPEAKER. If it is germane to the amendment offered by the gentleman from Tennessee.

Mr. STEPHENS of Nebraska. Mr. Speaker, I move the following substitute for the Moon amendment.

The Clerk read as follows:

The office of postmaster in each class shall hereafter be a non-political office, and shall be filled by appointment for a term of four years, said appointment to be based upon a certificate of election issued by the proper election authorities showing that the applicant for the office of postmaster had been chosen by a plurality of the legal voters who were patrons of the post office and the rural routes served thereby at a regular election when other local or county officers were chosen, and that the names of the candidates for postmaster were printed upon ballots without party designation.

Mr. MANN. I make the point of order that that is not a substitute.

The SPEAKER. The Chair sustains the point of order.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Speaker, there is one question on which I disagree with the Democratic Party and with the Republican Party. Both of those parties declare for civil service. I do not believe that the civil-service law is to the interest of the American people where that law carries with it, as does the present law, a life tenure in office. [Applause.] If the time shall ever come when this Government must fall, it will be by the work of its own employees. We now have over half a million men, nearly all under the civil service, except the marshals, collectors, and district attorneys. And when that period in the history of this country shall come, as it may come, with fanaticism running wild among thousands of voters in all the parties, as it does to-day, when this Government takes control of the administration of affairs of all the railroads, telegraph, and telephones, you will have created a power in this Government that, under the control of an ambitious presidential administration, will hand this Government down to the

party in power year after year, regardless of the will of the people, unless there is a counterbalancing influence exercised at the ballot box by the enlargement of the popular power over Federal officials.

But while that is all true, the sentiment of a few men who believe, as I do, that this civil-service doctrine, with life tenure, is violative of the fundamental principles of the American Government, can not and will not prevail. If it is proper that officers who are ministerial in their character shall under the law go under the civil service and be given a life tenure; if it is proper that that part of the postal officials of the Government that are not merely ministerial but executive, so far as a part of their duties are concerned, shall go under the civil service; if it is proper that 43,000 men now under the civil service as fourth-class postmasters should go under the civil service under Executive order, placing them in power without examination; if it is proper that hundreds of assistant postmasters, put into the civil service without examination, nearly all of them of the opposite faith from the party now in power, shall be retained under civil service, it is not unfair nor is it illogical, but perfectly logical, that the men now occupying the positions as postmasters who may occupy that position within the 12 months following, which is necessary for readjustment, should remain in office under civil service, not for life, but for a fixed term of years.

What would be the effect of it? Take this amendment No. 61 by the Senate, and what is the logical effect of that amendment? That amendment will cover into the service by operation of the civil-service law every postmaster in the United States to-day. If you adopt this amendment, it will also give an opportunity to the Postmaster General to cover first, second, and third class post offices under the civil service. Now, I do not propose for a moment to say to my friends over here that I believe in a kind of civil service that will appear exactly fair to Republicans. They have had their time. The offices ought to go to Democrats now.

I believe the law ought to treat all men of all parties fairly, but I believe that the party that is dominant, I care not which it is, that is clothed with the right and power to administer this Government, can not do it except through its friends, and therefore this amendment would enable an administration that desires to do so to put Democrats into every one of these offices, and when the Republicans come back into power there is a provision in the civil-service law by which they can all be put out and Republicans put in, by the clause authorizing the President to suspend the operation of the law. That is the exact situation. The amendment provides for nothing more, so far as that part of the amendment is concerned, than the proposed Senate amendment apparently provides.

But there is something more to this amendment, and as to that part I feel most deeply interested. I do not believe that any proposition ought to go unchallenged that puts any man in office for life, whether he be a Democrat or a Republican. [Applause.] I have, therefore, provided that these men shall not serve longer than eight years. There is another provision here. If this amendment passes, the men now in the department—and this act does not seem to discriminate between departmental employees and postal employees—may be transferred from the department down here on Pennsylvania Avenue and be made postmasters anywhere in the country. There is a diversity of opinion in regard to that. The Civil Service Commission thinks the word "department" would cover the field service. The Attorney General, I understand, thinks otherwise. But whatever their judgment may be upon this subject, it is true that we ought not to inaugurate under the law a migratory class of carpetbaggers in the post offices everywhere throughout this country. [Applause.] Therefore, I provided in this amendment that the man appointed must have been for at least 12 months a patron of the office to which he is appointed. The power of appointment is vested in the President, by and with the advice and consent of the Senate, and you can not make a law that will take from the President, under the Constitution, the right of appointment or nomination, nor can you make a law that will encroach upon his executive discretion in determining who that appointee shall be. You have no power in the premises nor the right to dictate. Whatever influence you may exercise comes as a courtesy from the President. He stated in the campaign, as did Mr. Hughes, that he favored the civil service. You ought to help the President keep his promise under the law.

If Mr. Hughes had been elected, you would need to have helped him to keep it. I believe on this question of civil service they are both wrong; but that makes no difference. The policy of this Government has been established otherwise. Let your administration keep faith with the people upon this question. The

President said he is going to keep faith, and I know he will do so. I hold here in my hand a letter that I shall put into the RECORD, that shows his views upon that question. If you do not permit him to keep faith with the people in accordance with the pledges he made, he has the power to protect himself and his word. He says, I am advised, that if you do not pass a civil-service law as to first, second, and third class offices he will not nominate another postmaster to the Senate until that applicant has been examined under the rules of the civil service. It is true he could not force the Civil Service Commission to examine applicants, but he could have it done otherwise if they did not do so voluntarily. He will name not one of three highest making the best grade in an examination but he will name the first man on the list or the first woman on the list, whether Democrat or Republican, to be postmaster. That is the feeling and the attitude of the administration upon this question, as I understand it. My own judgment is that the Executive ought not to be forced to this attitude, that you ought to pass an amendment that will enable at least the selection from the first three upon the list, and that the representatives of the people should have some voice in this question, even if only by courtesy, to the end that all patronage in this Government shall not finally be placed in the hands of the Senate of the United States, without any consideration on the part of the representative American public.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield one minute more to the gentleman.

Mr. MOON. Mr. Speaker, personally, I do not care anything about this. As political good faith we ought to help carry out this policy as indicated in my amendment. It is the wisest policy under a law which itself is unwise. We ought to do the best we can to sustain the pledges of the Executive.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MOON. Mr. Speaker, I ask unanimous consent to insert in the RECORD the letter of the President and of the Civil Service Commission upon this subject.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letters referred to are as follows:

SHADOW LAWN, N. J., November 4, 1916.

GEORGE T. KEYES,

Secretary Civil Service Reform League,
79 Wall Street, New York City.

SIR: In reply to your letter of September 26 I wish to state that the Postmaster General in his annual report for the fiscal year ended June 30, 1914, recommended to Congress the enactment of legislation which would permit of the extension of the classified civil service so as to include the position of postmaster at offices of the third class. The following year he not only renewed this recommendation but asked that the position of postmaster at offices of the second class be included as well, but no action has ever been taken by Congress on those recommendations. In his annual report for the fiscal year just ended he will not only renew his recommendation for the legislation mentioned but will ask that it be extended to offices of the first class as well.

I am thoroughly in accord with the recommendations of the Postmaster General, and they have my hearty approval. You understand, however, that the classification of the position does not classify the incumbent, and the person holding the position at the time it is classified will be subject to the same competitive test as others who may apply. When these positions are classified the Postmaster General will be able to fill many of them by promotion from the clerical grades; also by the promotion of postmasters who have demonstrated their ability from a smaller office to one of greater importance.

Sincerely, yours,

WOODROW WILSON.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., February 6, 1917.

Hon. JOHN A. MOON,

House of Representatives.

DEAR JUDGE MOON: In response to your verbal inquiry of this date as to whether or not the language of Senate amendment 61, page 120, classifying postmasters, would bring the incumbents within the classified service, I have the honor to invite your attention to section 6 of Civil Service Rule II, as follows:

"6. . . . a person holding a position when it becomes classified and subject to competitive examination shall have all the rights which he would acquire if appointed thereto upon examination under these rules, but he shall not be transferred without first passing the examination provided by the commission."

In the absence of any action by Congress or the President to the contrary, the incumbents would have a classified status in accordance with the provisions of the rule just quoted.

As to your second inquiry whether or not the language "employees of the Post-Office Department" refers to promotions or transfers only of those persons employed in the department at Washington, D. C., it is my opinion that the language includes all employees of the Postal Service generally. However, the construction of this act would not rest finally with the Civil Service Commission, but with the Attorney General. The act of June 22, 1906 (34 Stat., 449), prohibits a transfer from one executive department to another until after three years' service, and the Attorney General (26 Op., 254) held that the words

"executive department" referred to an executive establishment within the immediate jurisdiction of a Cabinet officer in Washington, D. C., and not to local post offices, pension agencies, etc. There are other opinions of the Attorney General with this same holding in other matters. If the language were changed to read "employees in or under the Post Office Department," there could be no question raised as to its meaning.

Very truly, yours,

CHAS. M. GALLOWAY,
Acting President.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, the proposition involved in amendment No. 61 of the Senate is evidently drawn by somebody who knows very little about the subject. This is a bill to provide for the legislative, executive, and judicial expenses of the Government. In that bill is always carried the salaries of the department officials and clerks, including the Post Office Department. It is done for this purpose. The Post Office Department is not a part of the ordinary Postal Service. The ordinary Postal Service is always provided for in the Post Office appropriation bill reported by the Post Office Committee. This amendment No. 61 provides that the postmasters of the first, second, and third class shall be appointed without regard to politics from the employees of the Post Office Department, subject to civil-service regulations and requirements. The fair and reasonable interpretation of that language, in view of the separation of the two bills, would be that you would have to select every postmaster in the United States from the employees of the Post Office Department down here on Pennsylvania Avenue, because it does not provide, as stated by the chairman of the Committee on the Post Office, that the appointments shall be made from the Postal Service. I hope that was in the mind of the proponent of this amendment, but it does not say so. It seems strange that it should be offered as an amendment on the legislative bill. It has no place there. If it is proper anywhere it is on the Post Office appropriation bill, which is not yet back from the Senate. I am opposed to this proposition in this form or in the form in which the gentleman from Tennessee [Mr. Moon] offers it. Although I profess to be a friend of civil service, yet I do not believe that the people of the United States would be satisfied with being served by postmasters imported from a strange community. I do not believe we should make a law that would make it possible or necessary to appoint them from outside the community which they serve. This makes a permanent class of officeholders. They would hold for life. There are 9,191 presidential offices in the United States, and they would be added to the advocates of retirement legislation. These postmasters would be here represented by some legislative agent at the very next session, probably wanting to be retired on half pay, and instead of being a proposition for economy it is one that will impose extra expenditures upon the people. I hope that all on this side will vote to nonconcur in this proposition. It is a half-baked proposition; it is one that has no right here; and it is one that should be voted down.

Mr. BYRNS of North Carolina. Mr. Speaker, I yield four minutes to the gentleman from North Carolina [Mr. PAGE].

Mr. PAGE of North Carolina. Mr. Speaker, I rise in opposition to the amendment which the gentleman from Tennessee [Mr. Moon] offers, as well as the amendment inserted in the bill by the Senate. I doubt very seriously whether there is a Member on this side of the House who under this Democratic administration has had any greater personal embarrassment in dispensing the patronage and appointment of first, second, and third class postmasters than have I, and yet I do not believe that it is either practical or that such service can be improved in the slightest degree by placing these officers of the Government under the civil-service rules. The trouble will not come to me again, since I retire very shortly; but I do not believe that you can select for these positions men as competent or as satisfactory as those who are the patrons of the office—as satisfactory to the department of the Government or to anyone else through any civil-service examination that can be devised in the brain of man as may be obtained by personal selection. [Applause.] This is not a clerical position. Men who serve in the first, second, and third class post offices of this country hold administrative positions, and I do not believe that the civil service should extend or apply to any administrative position or office in the Government. [Applause.] I do not hesitate to say that while I would not abolish the entire civil service, I believe that when the people of this country commission one political party, whether it be this or that, to administer the affairs of this Government, that they mean that that particular political party shall administer them; and I believe that now they ought to have the privilege, if it is a privilege, of naming the men who shall administer them and that they should have the responsibility also of the Government. I do not know but what

something has been said or intimated here that the President of the United States, unless the Congress places these men under the civil service, will cover them under it by some order of some kind. As one member of the Democratic Party and of this Congress, I want to know since when has one man been commissioned, whether he be the President of the United States or whoever he may be, to lay down the policies of a political party? [Applause.] It seems to me that we are going far when we acknowledge that the party is going to follow a line of principles laid down by any one man, whoever he may be or however great or high may be his office. [Applause.] That is the function of the party in convention assembled, to write the policies of the political party, and no party, so far as I know, has in this way committed itself to this extension of the civil service. I shall oppose by my vote the amendment of the gentleman from Tennessee as well as the amendment which has been placed in this bill by the Senate, and I say to the membership of this House that no method can be devised by which these men can be selected by a civil-service examination that will put men as well qualified to administer the office of postmaster in the various first, second, and third class offices as are now being placed under the present arrangement. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield four minutes to the gentleman from Massachusetts [Mr. GILLET].

Mr. GILLET. Mr. Speaker, I favor this amendment of the Senate. The distrust which the gentleman from North Carolina [Mr. PAGE] has expressed of the President of the United States has been expressed by the action of that side of the House in the last four years whenever a matter came up which affected the civil service. They would not leave the administration of the civil-service law to their own President. They insisted on taking out from the civil service deputy collectors, marshals, and various other offices, although the President already had the power to exempt them, if he wanted to exercise it. They would not trust him to give them what spoils they wanted, although apparently they might have trusted him, for he always approved the spoils legislation which they passed. And now, Mr. Speaker, when he has all the power which this amendment of the Senate gives him, the majority in the Senate, apparently distrusting him, again try to take it out of his hands and enact it into law. They do not trust him either way, either to exempt from the civil service or to cover into the civil service.

Now, I agree with the gentleman from North Carolina that the best way to select administrative officers is not by competitive examination. You can select better men by personal selection, if you will. But we all know we, as politicians, will not. Congressmen will not as a rule select the best men, but those who have the most influential support. And the question has long come to this: Do you get better men by examination or do you get better men by patronage? I believe you get vastly better men by examination in the long run. And you all know you will, in your hearts. You know that when you come to appoint a man you can not appoint him according to his merits, but under political pressure.

I felt skeptical originally when they began to extend the civil service outside of the mere clerical appointments. I questioned the wisdom of the first classification of fourth-class postmasters by President Roosevelt. I did not believe it would work. But experience has shown its worth. We now select scientists and specialists in various lines and fourth-class postmasters by competitive examination, and I think experience has again and again proved that while examination is not an ideal way, it is a better way than to trust it simply to politics. And I will be glad to see all of the post offices taken out of politics.

The Postmaster General will, if he is consistent, have all the present postmasters subjected to an examination, because that is what he did with the fourth-class postmasters, and I do not see how he can possibly refuse to do the same when it comes to the higher post offices. But whether he does or not, I am willing, despite my reluctance to see many present incompetent occupants of post offices continue—I am willing, for the sake of having a system established which I believe is infinitely better than the present one, to sacrifice my present feeling and allow the Democrats to stay in office. It does not make much difference in the long run; it does not make any difference in any particular place whether he is a Republican or Democrat.

Take my own city, where they appointed the chairman of the Democratic city committee as postmaster.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker, I am opposed to Senate amendment No. 61, and I am not very much enamored of the amendment offered by the gentleman from Tennessee [Mr. Moon]. I do not believe that either is practicable. I do not believe that it is wise to place the post offices of the first, second, and third classes under the civil service. It seems to me that if you will only think for a moment, we must all agree that it would be a very great mistake from a business standpoint.

I have no desire to dispense patronage. No man in the House has suffered more than I on account of it. It has given me much trouble, but I am certain that placing these offices under the civil service will not afford us any relief. The fourth-class offices have been under the civil service for some years, and every time an examination has been held in my district and a postmaster appointed on his examination I have been blamed and criticized by those who were not pleased with the appointment, they pretending to believe that I could have secured the appointment of some one else if I had wanted to do so. In other words, they would not believe that the man was appointed upon merit.

There were a few disreputable newspapers in my district—papers that care nothing for the truth, but whose sole object was and has been for some time to arouse criticism of me—told the people that the fourth-class postmasters were not appointed under the civil service but that the Congressman, in fact, made the appointment. This same thing would be true if the first, second, and third class offices were placed under the civil service; but I do not care so much about that as I do about the good of the service. The management of the post offices with receipts running from several thousand to millions of dollars a year is a "man's job." Would it conduce to the efficiency of the service to throw the position of postmaster open to a competitive examination? I think not. Let me cite you one case as typical of thousands of similar cases throughout the country, and I would be glad to have Members hear what I say.

Under the civil-service rules, as I understand it, the maximum age at which an applicant could take the examination is 45 years. There is in my district an office where the receipts are approximately \$60,000 a year. The postmaster in charge of that office is too old under the regulations to take the civil-service examination, but he is a successful business man of 40 years' experience. I have never heard a word of criticism of his administration of that office, notwithstanding he has been in charge of it for nearly four years. If this Senate amendment should become a law, he would have to step down and out; and even if the age limit could be waived, some young fellow just out of school, perhaps, only 21 years of age, without business experience, could run rings around this postmaster in the civil-service examination, but would that test show that he would be as competent to manage a \$60,000 a year business as the man now in charge of it? The question answers itself. There is not a man in this House, if he had his money invested in a business the receipts of which amounted to \$60,000 a year, would place in charge of that business a young man without business experience when in doing so he would displace a man of 40 years' successful business experience. That is just exactly what would happen if the Senate amendment should be adopted. The truth is, Mr. Speaker, that if the civil service applied to the position of Postmaster General and applicants for that place should be required to pass a competitive examination, some young fellow, perhaps without any business experience whatever, would succeed the present Postmaster General. The proposition put to us by the Senate is ridiculous in the extreme.

I trust that in the interest of the service the amendment of the Senate will be overwhelmingly rejected.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. Madden].

Mr. MADDEN. Mr. Speaker, every successful business in the world is successful because the men who conduct it are trained in the business. And the Post Office Department of America is the only great business enterprise that I know where men are appointed to conduct it who know nothing whatever about the business. And the time has come when the American people are going to insist that this great department of the Government shall be conducted by men trained in the work. You men on the Democratic side of the House owe it to the President of the United States to sustain him in his recommendation to put this department of the Government under business management. The Postmaster General, in whom you all have such great confidence, has recommended year after year that this department be taken out of politics and placed under business management. Are you going to sustain your President, or are

you going to repudiate his recommendations? Are you going to continue to live under the spoils system, or are you willing to begin to conduct the affairs of the Government on a business basis? Every man in this great department ought to be promoted from place to place because of his knowledge and not because of his politics; and from the lowest to the highest place, including the First Assistant Postmaster General, the men who occupy these places should be men who have earned the right to occupy them by their knowledge and experience and not because of their political pull.

Mr. DALLINGER. Will the gentleman yield?

Mr. MADDEN. I can not yield. And so, Mr. Speaker and gentlemen of the House, the Senate amendment places before you for consideration a business proposition, and your vote will determine whether you are in favor of conducting the business of the Government along scientific lines or whether you still favor the continuation of a policy that brings the departments of the Government into disrepute and carries on the business in the slime of politics. I do not care what the man's politics may be who occupies a Government place. If he is qualified to perform the work, that is the only condition that I impose upon him. If he is clean, if he is able, if he is honest, if he has the interest of the people of America at heart, if he knows the business for which he is employed and can conduct that business along scientific, systematic business lines, I submit to the House that that policy ought to be adopted which will place and continue such a man in office. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. Cannon].

The SPEAKER. The gentleman from Illinois [Mr. Cannon] is recognized for five minutes.

Mr. CANNON. Mr. Speaker, five minutes afford scant time in the remaining hours of this session to discuss such a question as is now put up to the House by this amendment—half baked, somebody called it.

Think of it! The office of postmaster of the various classes shall be a nonpolitical office. Now, then, what next? If you will read it through, you will find that from the Post Office Department in Washington—not in the Postal Service, but in the Post Office Department—they shall be competent for promotion as postmasters without civil-service examination.

It is bad enough as things are now. We have got the civil service for clerical positions, letter carriers, rural carriers, great armies of people. Now, let me tell you: I believe that the Congress of the United States, legislating for the Government, should be careful about the further extension of the classified civil service. [Applause.] Why, you could select all these postmasters, according to this provision, from people in the Post Office Department.

Well, you may say it does not mean that. Perhaps not. Perhaps the wise body that placed it by way of amendment on this bill did not understand what it did mean. But I want to call your attention to the civil-service employees. We have labor unions. Take the postal employees; take the clerks in the departments; take the clerks in the post offices; take the letter carriers, the rural carriers, the railway post-office clerks, under the civil service, serving 100,000,000 people. They join Mr. Gompers's Federation of Labor. What has it led to? Without much of consideration to whatever is demanded in the increase of salaries. And you may say, "What do we care for that?" Well, I am about as courageous as any of you gentlemen [applause], but perhaps I am not courageous enough to stand against the fire of people so organized. My notion is that perhaps the first allegiance of all Government employees is to the Government. But that is another question.

Now, it does not mean in an administrative office that a man should be able to calculate the distance of the earth from the moon, and this and that and the other problem. [Applause.] A man by the name of Johnson, a farmer out in my district 50 years ago, who could not read or write, raised a family that were industrious, and he died in the fullness of time, leaving his property. There was a neighbor near by by the name of Jones. Johnson came in one day and I said to him, "Brother Johnson, how is Jones?" "Oh," he says, "Jones has got lots of land, and a good lot of steers and hogs, and he is a good farmer." I said, "I am glad to hear it." I said, "How are the children getting along?" He said, "Do you know, CANNON, he has sent those gals and boys of his over to Asbury College, at Greencastle, and," he said, "they will come out damned educated idiots." [Applause and laughter.] And they did. [Renewed laughter.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield three minutes more to the gentleman.

SEVERAL MEMBERS. Make it five!

The SPEAKER. The gentleman from Tennessee yields three minutes more to the gentleman from Illinois.

Mr. CANNON. Three minutes more; somebody says "five."

Mr. HULBERT. Mr. Speaker, I consent that my two minutes shall be given to the gentleman from Illinois.

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from Illinois. [Applause.]

The SPEAKER. The gentleman from Illinois is recognized for five minutes more.

Mr. CANNON. Now, a Republic like ours must succeed from time to time by the organization of people who differ about the proper policies and the majority controls. [Applause.] I want to say that in all administrative offices I believe that the party in power, being responsible, should have its friends in office. [Applause.]

Mr. BURNETT. That is the correct doctrine.

Mr. CANNON. I know I may not meet the views of the doctrinaire. The gentleman from Tennessee [Mr. Moon], speaking of our President, as I understood him to say—although that is the first I heard of it—said that unless this legislation is enacted in the closing hours of this session—and it is impossible to enact it and do it intelligently—in the future he will not appoint any postmasters. Is that right?

Mr. MOON. The Clerk has the letter of the President. If the gentleman from Illinois has no objection, it can be read.

Mr. CANNON. I have no time for that, but let me say one thing: Woodrow Wilson, your President and mine, is a great man. A wonderfully great man. [Applause.] But I want to say, with all respect and without abuse to him personally, that the House of Representatives, with 435 Members, and the Senate of the United States, with 98 Members, constitute the legislative body chosen by the people, and God knows—and it is not with malice, but with sorrow I say it—more and more under our Presidents—President Roosevelt and under our President Taft and under our present President, who can give them both cards and spades in bossing Congress [laughter]—the President has sent the fiat out and is controlling legislation. Great Heavens! I want to see the House of Representatives, whether it remains permanently Democratic or not, do its own work. You are as patriotic as we are, and you think you are wiser [applause], and it may be; but whether you remain in power or we come into power I want to see the Congress of the United States do its legitimate work of legislation. [Applause.] Therefore I trust that when this legislative bill passes the Senate amendment will disappear from it. [Applause, and cries of "Vote!"]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from North Carolina [Mr. KITCHIN].

The SPEAKER. The gentleman from North Carolina is recognized for five minutes.

Mr. KITCHIN. Mr. Speaker, there are three propositions before the House. The first is a motion of the gentleman from Tennessee [Mr. BYRNS] to disagree to the Senate amendment. I am in favor of that. [Applause.] The second proposition is the motion of the gentleman from Illinois [Mr. MOON] to concur in the Senate amendment, which, if enacted into law, and if the law and the rules of the Civil Service Commission are lived up to, will keep in office every postmaster now in office for the balance of his life. I am opposed to that. [Applause.]

The third proposition is the motion of the gentleman from Tennessee [Mr. Moon] to concur, with an amendment. If that becomes law and the Post Office Department and the Civil Service Commission comply with that, and the rules of the commission, then every man now in office and every man who will be appointed to a postmastership between now and the 31st day of December, 1917, will remain in office for eight years. I am opposed to that. [Applause.] What reason have they given for changing the system of appointing postmasters which has been in vogue for 50, 75, or 100 years? Do they claim that under the Republican administration we did not have competent postmasters? Nobody makes that claim. Do they claim that under Mr. Wilson's administration we have not obtained efficient postmasters? Nobody makes that claim. Why, then, should the system be changed? It has given the country competent, efficient officers, who have given efficient and satisfactory service. I am opposed to the changing of this system in appointing postmasters more than I would be to changing the system of appointing any other officers under the Federal Government, because the postmaster comes nearer in touch with, is more the servant of, the people of his community than any other officer under the Federal Government, and the people in that community ought to have some voice in saying who shall be their postmaster. [Applause.] If I were

going to change the system of appointment I would rather go toward a system that would give the patrons of the post office more power and more voice in the appointment than to go toward the other system, as is proposed here, that would deny to the patrons of the office any voice at all in the appointment.

Mr. MOON. Will the gentleman from North Carolina undertake to say that it takes away any privilege from the patrons of the office?

Mr. KITCHIN. Yes; for eight years under the gentleman's amendment—

Mr. MOON. Oh, no—

Mr. KITCHIN. Wait a minute. The gentleman's amendment requires that the present postmasters be put in the classified service, and that every incumbent now in office and every man whom the Postmaster General or the President shall appoint before December 31, 1917, shall remain in office for eight years.

Mr. MOON. It says this, too, which the gentleman has overlooked, that postmasters shall not be appointed except from the patrons of the office.

Mr. KITCHIN. It says that the appointee must have been a patron of the office for at least 12 months. He may be a man who could stand a better examination, if they had an examination, and yet he may be a man that no other person in the community would indorse if the people had a voice in the appointment, either directly or through their Representatives. The gentleman from Tennessee [Mr. Moon] appealed to us on this side, and the gentleman from Illinois [Mr. MADDEN] on that side appealed to us to vote for one or the other of these propositions to concur, on the ground that it is our duty to help the President keep the promises he made to the people before the election. I say to the gentleman from Tennessee [Mr. Moon] and to the gentleman from Illinois [Mr. MADDEN] that neither the Senate proposition nor the proposition of the gentleman from Tennessee enables the President to keep the alleged promise that he made, but forces him, if he acts in accordance either with the Senate amendment or the gentleman's amendment, to violate the act and rules of the Civil Service Commission or else to violate the promise which gentlemen say he made. The Senate amendment, under the rules and regulations of the civil service and under the act itself, keeps in office every man now in office during the balance of his life, without examination, without being put to the test, in violation of both the spirit and letter of every civil-service act we have ever put upon the statute books; and the proposition of the gentleman from Tennessee [Mr. Moon] if enforced according to its terms and the rules of the commission, keeps in office, without competitive examination, for eight years every man who is now in office and every man whom the President shall appoint, without competitive examination, from now until December 31.

The President never made any promise of that kind to the people, because the President would know that it would be a wrong upon all parties in the United States. Here is what the President said he was in favor of. Let me read it. This is from the letter which the gentleman from Tennessee [Mr. Moon] has put into the Record, a letter addressed by the President to Mr. Keyes, secretary of the Civil Service Reform League, 79 Wall Street, New York City. What is any real good civil-service reformer doing living in Wall Street? [Laughter.]

This letter was written just before the election, November 4, 1916. Speaking of the Postmaster General's report the President said:

In his annual report for the fiscal year just ended he will not only renew his recommendation for the legislation mentioned (putting in the classified service second and third-class post offices), but will ask that it be extended to offices of the first class as well.

I am thoroughly in accord with the recommendations of the Postmaster General and they have my hearty approval. You understand, however, that the classification of the position does not classify the incumbent, and the person holding the position at the time it is classified will be subject to the same competitive test as others who may apply.

Not one of the amendments before the House will enable the President to carry out that proposition he makes in the letter.

Mr. MOON. If we pass this law and make it the duty of the President to enforce it, then is it not his paramount duty to carry out the law of Congress, which will relieve him of any other promise?

Mr. KITCHIN. That is what I am telling you. You will either make him violate his pledge to the Civil Service Reform League, or else force him to violate the act of Congress.

Mr. MOON. Would you object to Democrats holding on for the next eight years?

Mr. KITCHIN. No; but I want them to get the office in the future like they have in the past. The gentleman from Ten-

nessee was appealing to this House for a law to help the President keep faith with the people, or rather with the Civil Service Reform League, and yet he is not helping him by his amendment, but in my opinion his amendment will prevent him from doing so.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. BURNETT. I ask unanimous consent that the gentleman's time be extended—

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] has charge of the time.

Mr. BYRNS of Tennessee. I yield one minute more to the gentleman.

Mr. KITCHIN. The President further says in the letter that the law he wanted of classifying the post offices would enable the Postmaster General "to fill many of them by promotion from the clerical grades" without further examinations.

Mr. BURNETT. Will the gentleman yield for a question?

Mr. KITCHIN. I yield to the gentleman from Alabama.

Mr. BURNETT. Mr. Speaker, I want to ask the gentleman a question. The President has the appointing power. Suppose the President should require that postmasters undergo an examination, how, under this law, would that prevent him from appointing those whom he says ought to be appointed after examination?

Mr. KITCHIN. You can not prevent him from doing it; but you can pass this act with Senate amendment or with the Moon amendment and put him in a position of violating the act and will of Congress and the rules of the commission, the act which he himself has signed, if he should require examination thereafter. You do not want to put him in that position, do you?

Mr. BURNETT. No.

Mr. KITCHIN. Of course, we do not. I do not want any Democrat, and I do not want any Republican devotee of the administration, to be fooled into voting for the Moon amendment or the Senate amendment, on the ground that it is helping the President to keep faith with the Civil Service Reform League. It will make him violate either that faith or this act.

Mr. MOON. Then the gentleman from North Carolina puts himself in this position, and no other—that he wants no Democrat or Republican here to sustain the President in anything.

Mr. KITCHIN. The gentleman has not prepared a proposition that will sustain the President's position taken in that letter. I am opposed to the Senate amendment, I am opposed to the Moon amendment, but I am in favor of the motion of the gentleman from Tennessee [Mr. BYRNS], who has charge of the bill. I am in favor of the system of appointing postmasters as it is right now and has been for a century. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the President of the United States made his pledge before the election and has made the same statement since the election. The amendment of the Senate carries out exactly the pledge made by the President. I have seen this House under the control of our Democratic friends change its principles on great public questions and grovel in the dust at the behest of the President of the United States. I have seen it change its position on foreign relations at the demand of the President of the United States. But after all, there is a limit to the power of the President. He may require the Democrats to bow the knee on questions of principle, but when he tries to take a job away from one of them his power is evanescent and gone. [Laughter and applause.] You are willing to yield to him your judgment, your legislative authority, your place as a representative of the people in disposing of great public questions, but you are not willing to let him keep you from appointing a man to a \$900 job. [Applause on the Republican side.]

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, there must have been some unexpected recent arrangement by which the gentleman from Illinois [Mr. MANN] has been commissioned as spokesman on this floor for the President of the United States. [Laughter and applause.]

Mr. MANN. I always defend him when he is right, which is seldom.

Mr. FITZGERALD. I always fear the Greeks bearing gifts. Possibly Members on this side of the House have not been congratulating themselves as heartily as the gentleman from Illinois indicates at the freedom accorded to them in the selection of postmasters during the last three years. [Laughter.]

I have had a great number of appeals made to me to support this amendment, appeals made by eminent citizens in all parts

of the country. They have been made to me because I am what is known as a civil-service reformer [laughter], and naturally the appeals which have emanated from the leading reform organizations of the country, and the leading reforms have been directed to me, to exert my influence on behalf of the Senate amendment.

Mr. Speaker, I believe that the Senate amendment is fraught with great evil to our system of government. I believe in the system of party government—a system in which political parties promulgate specific principles and policies, and, if selected, carry those principles and policies into effect. My experience has been that many distinguished civil-service reformers are engaged in a profound and comprehensive attempt to break down all political organizations and to set up the individual and the individual idea of policy in preference to the policies and principles of political organizations, and to that system of government I am unalterably opposed. [Applause.]

I have had some experience with civil-service men. For nine years I have served on the Committee on Appropriations and listened to men in responsible positions under Republican administration outlining the policy of the administrations and advocating the appropriations to be made to carry on the policies outlined. Because of the ill-devised system of civil service under which men in responsible positions, men who are compelled to determine and to dictate to a very considerable extent the policies of the administration, have been continued in office, many Republicans have been appearing before the same committee outlining the policies and dictating the manner in which the public business shall be conducted under a Democratic administration. We would have had much more satisfactory results if Democrats in harmony with the Democratic President and Democratic administration had been occupying these offices.

The gentleman from Illinois [Mr. MADDEN] stated that this is one of the great businesses in the country where men are not trained to administer it, and where men are appointed without regard to the training which they have received. Mr. Speaker, there is not an intelligent business man in the United States conducting either a great business or a small business who would contemplate for a single instant supporting legislation that would give a life tenure to the most important men in his business who had not been selected with regard to their training to conduct it, and which would deprive him of the right to change his personnel at will.

My experience has been that those selected because of political service or for partisan reasons for important public offices make better, more efficient, more competent officials than those selected through the medium of civil-service examinations. There is something else necessary than mere ability to pass an examination for efficient administration. Some of the most essential qualifications can not be ascertained as a result of examinations, and many who obtain the highest marks in examinations lack most completely the essential qualifications for successful administrators.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. I desire to add that I hope the good, sound sense of the House will save us from the disastrous effects of such legislation.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield two minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Speaker, there has been a good deal of criticism upon this side of the House of the majority side for following the President of the United States in his recommendations to Congress. Now, when the Democratic Members have gotten religion, want to depart from the error of their ways, and act in accord with our own views, they are condemned by certain Republican leaders in this House. I am not so unkind, so ungenerous. I congratulate the Democratic Members for exercising their independence upon this proposition. [Applause.]

Mr. BURNETT. Mr. Speaker, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. BURNETT. The gentlemen upon that side never did exercise that independence, did they?

Mr. AUSTIN. I am going to do it, especially where there is an appropriation or an office involved. [Laughter.] It has been mentioned here that President Wilson and Gov. Hughes both committed themselves upon legislation of this kind. I want to state that neither one of them was commissioned to make that declaration in the platforms of the political parties which nominated them. Our beloved colleague, Mr. MADDEN, of Illinois, one of the ablest and most successful business men of the Middle West [applause], we find now insisting upon civil-service examinations in selecting postmasters; but in his long and successful business career he has never inaugurated a civil-service system in his own plant. [Laughter.] We are told that

the great political leader of the administration, our former colleague, whom we all love so fondly, Postmaster General Burleson, is at the head of this great movement in the interest of the uplift and civil-service reform. I would have some faith in him as a civil-service reformer if he had inaugurated it four years ago, when these 10,217 offices were filled with Republicans. [Laughter.] I want to say in absolute good faith and frankness that four years from now we are going to make every one of those 10,217 excellent Democratic postmasters walk the plank—15 of them in the district I represent. [Applause and laughter.]

Mr. BYRNS of Tennessee. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. DICKINSON].

[Mr. DICKINSON addressed the House. See Appendix.]

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield one minute and a half to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the House. See Appendix.]

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question upon the pending motion.

The previous question was ordered.

The SPEAKER. The question is first on the motion of the gentleman from Tennessee.

The question was taken, and the motion was rejected.

The SPEAKER. The question now is on the motion of the gentleman from Illinois [Mr. MANN] to concur.

Mr. MANN. Mr. Speaker, upon that I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Forty-three gentlemen have risen, not a sufficient number.

Mr. MANN. What makes the Chair say not a sufficient number?

The SPEAKER. On the basis of the last vote.

Mr. MANN. Oh, well, that was an hour ago.

The SPEAKER. The gentleman can demand the other side.

Mr. MANN. But I do not ask for the other side.

The SPEAKER. Those opposed to taking the vote by the yeas and nays will rise and stand until counted. [After counting.] Two hundred and thirty-four Members have risen. Forty-three is not a sufficient number, and the yeas and nays are refused. The question is on the motion of the gentleman from Illinois [Mr. MANN] to concur.

The question was taken, and the motion was rejected.

The SPEAKER. The question now recurs on the motion of the gentleman from Tennessee [Mr. BYRNS] to nonconcur.

Mr. MANN. The vote upon the motion to concur is in effect a disagreement, is it not, where the House refuses to concur?

The SPEAKER. The gentleman is correct. The amendment is not concurred in. The Clerk will report the next amendment, No. 62.

The Clerk read as follows:

In order to promote economy in the distribution of supplies and in auditing and accounting, the Postmaster General may designate districts and central offices in such districts through which supplies shall be distributed and accounts audited, but in no case shall the postmaster at the central station be given authority to abolish offices, to change officers or employees in offices included in such district.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House nonconcur in amendment No. 62.

The motion was agreed to.

The SPEAKER. The Clerk will now report Senate amendment No. 71.

The Clerk read as follows:

Page 152, strike out section 7, which is as follows:
 "Sec. 7. That to provide, during the fiscal year 1918, for increased compensation at the rate of 10 per cent per annum to employees who receive salaries at a rate per annum less than \$1,200, and for increased compensation at the rate of 5 per cent per annum to employees who receive salaries at a rate not more than \$1,800 per annum and not less than \$1,200 per annum, so much as may be necessary is appropriated: *Provided*, That this section shall only apply to the employees who are appropriated for in this act specifically and under lump sums or whose employment is authorized herein: *Provided further*, That detailed reports shall be submitted to Congress on the first day of the next session showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided for herein."

And insert in lieu thereof the following:

Sec. 7. That to provide, during the fiscal year 1918, for increased compensation at the rate of 15 per cent per annum to employees who receive salaries at a rate per annum of \$480 or less, and for increased compensation at the rate of 10 per cent per annum to employees who receive salaries at a rate of more than \$480 per annum and not exceed-

ing \$1,000 per annum, so much as may be necessary is appropriated: *Provided*, That this section shall only apply to employees who are appropriated for in this act specifically and under lump sums or whose employment is authorized herein: *Provided further*, That detailed reports shall be submitted to Congress on the first day of the next session showing the number of persons, the grades or character of positions, the original rates of compensation, and the increased rates of compensation provided for herein."

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House nonconcur in Senate amendment No. 72.

The motion was agreed to.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House agree to the conference asked by the Senate.

The motion was agreed to.

The Chair announced the following conferees: Mr. BYRNS of Tennessee, Mr. Sisson, and Mr. Good.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20632, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. PAGE of North Carolina in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20632, the title of which the Clerk will report.

The Clerk read the title, as follows:

A bill (H. R. 20632) making appropriations for the naval service for the fiscal year ending June 30, 1918, and for other purposes.

The Clerk read as follows:

BUREAU OF MEDICINE AND SURGERY.

Medical department: For surgeons' necessities for vessels in commission, navy yards, naval stations, Marine Corps, and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical School, Washington, and Naval Academy, and toward the accumulation of a reserve supply of medical stores, \$1,121,740.

Mr. SMITH of Michigan. Mr. Chairman, I think in the strenuous times we are now experiencing that there is no more important measures than the Army or Navy bills that could be brought before Congress. I am in receipt of a letter to-day from one of the companies in my district engaged in steel manufacturing, which I would like to have the Clerk read.

The CHAIRMAN. The Clerk will read the letter in the time of the gentleman from Michigan.

The Clerk read as follows:

The Hon. J. M. C. SMITH, ALBION, MICH., February 6, 1917.

Washington, D. C.

MY DEAR MR. SMITH: In these strenuous times the writer rather wishes to offer his services and the services of our plant, which now has a pay roll of something over 200 men and is able to turn out wire and ironwork, such as steel equipment for the Army in the nature of racks, troughs, and other sheet-iron equipment.

Our machine shop is fairly well equipped with lathes, millers, and shapers and can handle small machine work very nicely.

If we can be of help in any way, kindly feel at liberty to call on us, and if you will, kindly notify the proper person.

Please feel at liberty to call on the writer for anything that we can do.

With very kindest regards, I remain,

Yours, very truly,

UNION STEEL PRODUCTS CO. (LTD.),

GEO. E. DEAN,

President and General Manager.

Mr. SMITH of Michigan. Mr. Chairman, this is one of the finest institutions in Michigan. In these trying hours for the Nation I commend the gentleman, Mr. Dean, for his lofty Americanism, his high citizenship, and unexcelled patriotism. It is such spirit that makes our Republic invincible. I know that the greatest peace advocate in the United States, Mr. Ford, of Detroit, has offered his plant with 35,000 employees to the Government in case of war to manufacture munitions. Now, I do not know, but I hope and pray that we will not be obliged to go to war; but if we do go into war the fiber and manhood of Michigan's best blood will fully respond, as it did in the days past, and in like manner, as during the Civil War, when it had a population of 750,000 people and sent 90,000 troops to the front from that State alone. At that same ratio and proportion it could now raise an army of 400,000 men. Now, I can not say, after listening to the argument somewhat closely of gentlemen who have spoken upon this bill, that I am in complete accord with expending so many hundred millions of dollars for warships alone, and not giving more attention to the aeroplane service, to the submarine service, to fighting with fire, to fighting with liquid air. It seems to me that these modern devices should have more attention, and I base that

upon the fact that there is nearly one-half of our present fighting force of ships that are tied up to the docks for want of men in order to operate them. Instead of building more warships and dreadnaughts, if I had my way, I think more attention should be given to recruiting the Army and recruiting the Navy, so that we could use the warships we now have but no men to operate them. Mr. Chairman, if we must strike, everything should be done that human ingenuity could do to make that war effective and our Navy and our Army successful. We are not going into any boy's play. To me it was a serious thing to break off relations with a great country, and it will not be any easy matter to establish those relations again. We are coming to a time, whether it be for the purpose of war or whether it be for the purpose of adjustment after the war, when we will need an Army and a Navy that can back up our position. It does not make any difference whether we remain neutral or whether we are called upon to fight, we will be called upon at the end of this war, whether we are in or out, to regulate our affairs to the adjustments and readjustments of the settlement made. Under any and all circumstances it behooves us to be ready. Mr. Chairman, it is an honor and a privilege to present this patriotic letter. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS.

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, \$15,333.156.42; officers on the retired list, \$2,940,368.72; commutation of quarters for officers on shore not occupying public quarters, including boat-swains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, \$875,679; and also members of Nurse Corps (female), \$1,000; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$4,000; pay of enlisted men on the retired list, \$492,657.34; extra pay to men reenlisting under honorable discharge, \$1,400,000; interest on deposits by men, \$12,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force and men detailed for duty with the Fish Commission, 68,700 men; and pay of enlisted men of the Hospital Corps, and for the pay of enlisted men detailed for duty with the Naval Militia, \$26,835,914.67; pay of enlisted men undergoing sentence of court-martial, \$225,000, and as many machinists as the President may from time to time deem necessary to appoint; and hereafter the pay of warrant officers while on shore duty during the fourth three years' service shall be \$1,750 per annum; and 6,000 apprentice seamen under training at training stations, and on board training ships, at the pay prescribed by law, \$950,400; pay of the Nurse Corps, \$141,600; rent of quarters for members of the Nurse Corps, \$12,000; retainer pay and active-service pay of members of the Naval Reserve Force, \$2,000,000; in all, \$51,023,776.15; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund; and hereafter advances of pay not to exceed three months' pay in any one case may be made to officers ordered to and from sea duty and to and from shore duty beyond the seas, under such regulations as the Secretary of the Navy may prescribe.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. GARDNER rose.

Mr. STAFFORD. I do not desire to take the gentleman from Massachusetts off the floor, but I assume he wants to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment. Does the gentleman care to argue the point of order or reserve the point of order?

Mr. STAFFORD. I reserve the point of order. There are several new items of legislation in the paragraph just read which I would like to have the gentleman explain the necessity for. For instance, the last paragraph in the bill provides for an advance of pay, not exceeding three months' pay in any one case, may be made to officers ordered to and from sea duty and to and from shore duty beyond the seas. What is the occasion for that phraseology?

Mr. PADGETT. That has been going on ever since the Navy was organized. This is known as "dead horse." An officer is ordered into a foreign country, and the department advances him three months' pay, and we simply express in this language here what has been going on ever since the Navy was organized.

Mr. ROBERTS of Massachusetts. I will ask the chairman if the desire was not expressed to have it put in this language?

Mr. STAFFORD. This is nothing more than confirming a regulation of the department that has been in existence for years and years.

Mr. PADGETT. Many, many years.

Mr. ROBERTS of Massachusetts. A hundred years at least. Mr. STAFFORD. It does not provide for any increase in salary. It only provides for an advance allowance of a part of his salary?

Mr. PADGETT. That is all.

Mr. STAFFORD. I wish to inquire as to the new phraseology at the bottom of page 33, providing for pay of warrant officers doing shore duty.

Mr. PADGETT. I can not answer that better than to read to you from the hearings:

Mr. MCGOWAN. That is to correct a manifest clerical error which has existed for quite a long time in the pay of warrant officers. The pay of warrant officers is based on the first 3 years, the second 3 years, the third 3 years, and fourth 3 years. Now, after the first, second, and third 3 years it jumps up regularly every three years, because presumably a man is worth more; but there is no jump for the fourth 3 years. It remains at \$1,625 until the fifth 3 years, but in the next 3-year period it takes two jumps, or goes \$250 at one jump. That is evidently a clerical error, and I should very much like to correct it.

Mr. BUTLER. That does not increase the salary.

Mr. PADGETT. It increases it \$125.

Mr. STAFFORD. It divides up the \$250 increase over the two periods?

Mr. PADGETT. Into \$125 for each one.

Mr. STAFFORD. Just one further inquiry, and that is as to the new language as found in lines 22 and 23 authorizing the President to employ as many machinists as he may from time to time deem necessary. Or is that old language?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. According to the bill I have it is new language, and I was wondering whether under that language the President would be authorized to employ large numbers of machinists.

Mr. PADGETT. That has been always the law.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order with those explanations.

The CHAIRMAN. The gentleman withdraws a reservation of the point of order. The gentleman from Massachusetts [Mr. GARDNER] offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 33, line 20, strike out "\$26,835,914.67" and insert "\$30,435,914.67."

Mr. GARDNER. Mr. Chairman, if this amendment is adopted it will enable each enlisted man of the Navy to receive \$5 more pay a month. If it is adopted, it will be necessary to adopt two more amendments in order to complete it. One of them is subject to a point of order. If it is rejected, I shall not attempt the other amendments. The reason I believe the enlisted men of the Navy ought to receive \$5 more a month apiece is this: We have authorized 77,956 enlisted men in the Navy of the United States. We were short on February 1, according to Admiral Palmer, 24,500 men. In other words, out of every three men necessary to man our ships we had only two. That is why we had to put six battleships "in reserve" on May 12 last and three more in October, in order to man our dreadnaughts and a destroyer division. We reduced the crews of those nine battleships 60 per cent each. We put three battleships "in reserve" the other day, when the *Arizona* was commissioned. Not one of the three had been in commission as long as 10 years.

Now, Mr. Chairman, the Secretary of the Navy appeared before the Naval Committee. He told the committee that the enlisted men ought to be paid more money. He said that they were worth more money than they are getting now. The base pay of the enlisted men of the Navy is only \$17.60 a month.

Now, I see by the morning paper that the Secretary said yesterday that the January enlistments were far above the average. Very likely; January enlistments generally are far above the average. I notice that the Secretary testified before the Committee on Naval Affairs that in November, December, and January, during the winter, is the best period for recruiting. The fact remains we can not get men in the Navy because we do not pay them enough, and for the same reason we can not get men in the Army. If this amendment is adopted, it will cost the Government \$3,600,000 more every year. That is the sum which the Secretary of the Navy estimates will be necessary in order to pay each enlisted man \$5 more a month.

Mr. LONGWORTH. Can the gentleman state what the pay is in the English Navy?

Mr. GARDNER. I can not. But I know it is a great deal lower than ours. But, then, of course, the British Army is very much underpaid as compared with ours. A private in the Canadian Army, the over-seas army, is paid \$33 a month, while a private in our Army is paid only \$15 a month in time of peace. In the Spanish War privates received \$16.50 per month.

Mr. LONGWORTH. Does the gentleman think that \$5 more a month would result in increasing the number up to the desired strength?

Mr. GARDNER. I think that is what the Secretary says. I am not quite sure that that was what he said, but I shall put his exact evidence in the Record.

Mr. SMITH of Michigan. I want to say it is very important that we recruit up the Army and recruit up the Navy, and I think one of the ways for doing it is to give them a reasonable compensation; and I think that those of us who stay at home and get a good salary while they go to the front and enlist in the Army to perform that service can afford to pay them more, even to share a part of our salary with them, and I am very much in favor of the amendment.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. GARDNER] has expired.

Mr. GARDNER. Mr. Chairman, I should like one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GARDNER. Mr. Chairman, in reply to the inquiry of the gentleman from Ohio [Mr. LONGWORTH] I find that I incorrectly stated the Secretary's testimony. Here are his exact words in a colloquy with Congressman KELLEY, of Michigan, a member of the Naval Committee. Mr. KELLEY asked:

If that would get the men, it would be worth while to do it?

To that Secretary Daniels responded:

Undoubtedly. I think it would tend to still further increase the first enlistments and retain experienced men in the service.

Mr. LONGWORTH. Was the amount, \$5, mentioned?

Mr. GARDNER. Yes; the amount, \$5, was mentioned. But I was mistaken in saying that the Secretary expressed the opinion that that increase would attract enough recruits to bring the Navy up to its full authorized strength.

Mr. TAGUE. Mr. Chairman, I believe in the amendment offered by my colleague from Massachusetts [Mr. GARDNER]. Representing a district where it is necessary for me to come in contact a great deal with men in the naval service, I agree with what the gentleman from Massachusetts has said.

But I would go a step further, Mr. Chairman. I can readily understand why at this time it is impossible to get men to go into the Navy at the wage that is offered to them. It is because it is easier to get work with higher wages elsewhere. But this is not all. Mr. Chairman, there have been more men driven out of the Navy through the arrogance and unfair methods of officers whom this Government has educated than from any other cause connected with the naval service.

I can cite, Mr. Chairman, many, many cases of young men who have gone into the Navy intending to serve their country, but as soon as their enlistment is over no inducement could bring them back into the service because of the ill treatment they had received at the hands of some of the officers in control of our ships.

Now, I do not say that is so with respect to all the officers. Some of them are reasonable and considerate. But there are too many officers to-day in the Navy who believe they are just a little bit better than other people, simply because they wear the uniform of Uncle Sam. They do not want to believe that the young man who enlists and who comes from just as good families as they do, though with perhaps not the same opportunities, but wanting to serve his country in the Navy, to learn something, has a right to expect considerate treatment. The moment some of these officers get these young men under them they drive them in such a way that they overtax their patience and stifle their ambition, so that the moment an opportunity is presented those young men leave and never go back to the Navy.

How can they help deserting from the Navy under those conditions? And this does not apply altogether or alone to the enlisted men in the Navy. It applies also to the workmen in navy yards. I venture to say there are to-day filed in the office of the Secretary of the Navy, from me alone, at least 200 complaints concerning the manner in which men have been treated by officers placed in charge of work in the navy yards. Competent mechanics, men who know their business, are ridden over by young officers just beginning their service who do not know how to handle men and can not properly perform the service that is expected of them. I know of cases, Mr. Chairman, where mechanics, men who wanted to work in the navy yard, but who could not stand the arrogance of these young officers, have left and gone to private shipyards where they work under competent superiors.

The only consolation to-day in the Boston yard is that we have a good man, Capt. Rush, who is in command of the yard, and a first-class constructor, Capt. Baxter, who is in charge of

the construction department. We are fortunate in having such men, for they at all times try to be fair to the workmen, unlike some of their assistants, who run roughshod over men who can teach them their business.

Mr. Chairman, I know of a young man who while serving in the Navy on board the U. S. S. *Memphis* was scalded and wounded so badly, and then further injured by an iron cover falling on his head, that he lay in the hospital at Charleston for 12 or 14 weeks. After leaving the hospital he was then sent aboard a ship to do light duty. As soon as he got on board the ship and found himself unable to perform the service required of him he notified his superiors of his inability to work. He was immediately put at hard labor; and being unable to perform that hard labor, he was charged with neglect of duty and discharged from the Navy with a dishonorable discharge. This young boy is now crippled for life as the result of his injuries. When I brought the matter to the attention of the Secretary of the Navy he withdrew that discharge, notwithstanding the fact that the officer on the ship had signed the order to the effect that the young man was unfit for service and had a dishonorable discharge handed to him. Thanks to the Secretary of the Navy, the dishonorable discharge has been withdrawn, and that boy to-day has an honorable discharge from the Navy.

I have to-day a case pending before the Navy Department where some mechanics in the navy yard at Boston, because they would not bow the knee to these arrogant, overbearing officers, have been blacklisted and excluded from the service for one year.

There are too many of these cases, Mr. Chairman, in the naval service. It is time some of these officers were made to realize that while this Government is willing to give them everything to work with and will do everything in its power to make them competent and able to perform the service they are expected to perform for the country the citizens and laymen of this country also have some rights. It is time this abuse of workmen should stop. This is one reason why you can not get the men necessary to build your ships. This is the reason why you can not get a sufficient number of men to serve in the Navy. The men will not serve under officers of this kind. Any Member who has a navy yard in his district knows that I am telling the truth.

Let me cite another instance. A workman in the navy yard in my district in charge of a gang of men was commended in general orders by the Navy Department. He received letters of commendation from the Secretary of the Navy, from the commandant in charge of the yard, and from the constructor in the yard for efficiency in workmanship and efficiency in conduct. Two days after he received that letter from the Navy Department a young junior officer in the Navy, to show his authority and perhaps offended because the workman had received the commendation over his head, went after the young man, found fault with his work, and had him suspended from duty for inefficiency and poor conduct.

When this was brought to the attention of the commandant of the yard he immediately reinstated the man and put him back on a Friday afternoon. On Monday morning, before he had a chance to get his crew together, this same junior officer in the Boston Navy Yard filed charges of incompetency against him, and after his discharge sent his name and that of his assistants to the Civil Service Commission with a poor conduct and poor workmanship discharge. Fifteen minutes after they left the navy yard these men went over to another shipbuilding company and were employed at wages a dollar a day higher than they were receiving in the navy yard. Nevertheless for one year these three workmen under the civil-service rules will be deprived of an opportunity of working in the navy yards of this country, or in any other branch of the Government service, unless the Secretary of the Navy shall correct this injustice.

Mr. Chairman, this is the trouble with our navy yards. This is the trouble with our Navy Department. The difficulty is not so much that you can not get the men. It is well known that men have been driven away from the Navy and good workmen from the navy yard. They have been driven away by the contemptible acts of men whom this Government has trained and supported at the expense of the people; men whom this Government has educated to know better and who do know better. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PADGETT. Mr. Chairman, I know nothing, and this House can know nothing, about the individual cases that the gentleman refers to. I do know this, though, that the officers with whom I have come in contact, a great many of them, show evidence of great interest in the enlisted men in the Navy and

in the workmen. I have talked with workmen and with enlisted men numbers of times, and they have always expressed the same sentiments.

Now, with reference to the amendment offered by the gentleman from Massachusetts [Mr. GARDNER] increasing the amount of the appropriation for the pay of the enlisted men from \$26,000,000 to something over \$30,000,000, I want to call the attention of the committee to the fact that that amendment would accomplish absolutely nothing except to make an excessive appropriation. The department has estimated that by June 30, 1918, the end of the fiscal year for which this appropriation is made, we shall have increased the enlistments to 70,000, and this is to take care of the pay of that number of men up to that time. Now, the gentleman has overlooked the fact that the law fixes the pay of the men in the different ratings, and if you should appropriate more money you would not give any individual any more than the law allows.

Mr. GARDNER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GARDNER. The gentleman can not have listened to the first part of my statement. I said if this was adopted it would be necessary to change the total later, and also to insert a provision increasing the pay of the enlisted men. That will all be done unless the gentleman raises a point of order.

Mr. PADGETT. I shall do that.

Mr. GARDNER. Ah!

Mr. PADGETT. For the simple reason that last August we passed a law giving the enlisted men many substantial and distinct advantages and increases, and under the operation of this law enlistments are moving along with good satisfaction. Until we have given that a trial, there is no good judgment in rushing forward and adding more at this session of Congress.

Mr. COX. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. COX. How much do we pay our enlisted men now?

Mr. PADGETT. The base pay at starting is \$17.60 a month, and then they increase, with longevity pay and with advancement.

Mr. COX. What do they get at the end of their first three years?

Mr. PADGETT. I believe the period is a three-year period. Then on the second enlistment they get more, and then they are soon promoted up into higher grades, and the pay runs up to \$75, \$90, and \$100 a month.

Mr. COX. In the first three years they get \$17.60 a month?

Mr. PADGETT. And their board.

Mr. COX. Anything else?

Mr. PADGETT. They get their medical treatment.

Mr. COX. Do they get any clothing?

Mr. PADGETT. Yes. They get as a first outfit \$60 worth of clothing.

Mr. COX. The first three years do they get their clothing?

Mr. PADGETT. Yes; when they first enlist.

Mr. COX. And their board, and things of that kind?

Mr. PADGETT. Yes.

Mr. TAGUE. Is that taken out of their pay?

Mr. PADGETT. No, sir; it is not.

Mr. COX. How does their pay compare with the pay of the men in the English Navy before the war broke out?

Mr. PADGETT. It is much larger.

Mr. COX. What was the English pay before the war broke out?

Mr. PADGETT. I do not remember definitely, but I should say not exceeding two-thirds of ours. I make that statement offhand.

Mr. BUTLER. I did not think it was half as much.

Mr. COX. Does the gentleman know what was paid in the German Navy?

Mr. PADGETT. Still less than that. It is almost conscription in the German Navy.

Mr. SMITH of Michigan. Does the gentleman think that under the present high wages that are paid by other institutions employing workmen we could ever get any perceptible increase in the Army or Navy for \$17.60 a month?

Mr. PADGETT. We are getting very good increases. During the month of January the increase was 1,344, during that one month.

Mr. SMITH of Michigan. How long, at that rate, will it take to get the full complement?

Mr. PADGETT. On the 1st of July, 1918, they expect to have the enlisted strength up to 70,000 men.

Mr. SMITH of Michigan. What do they pay for enlisting each man?

Mr. PADGETT. They offer \$5 to the postmaster for each enlistment, and then they have recruiting stations out gathering them up through the country.

Mr. GARDNER. Will the gentleman yield?

Mr. PADGETT. Certainly.

Mr. GARDNER. The gentleman said that they expect the Navy Department to have 70,000 men by the 1st of July, 1918. Is that true?

Mr. PADGETT. That is the information I get from Admiral Palmer.

Mr. GARDNER. Is it not true that 78,000 are required according to the bill last year?

Mr. PADGETT. Yes; we authorized 77,000.

Mr. GARDNER. Yes; 77,056. Now, the chairman said to Secretary Daniels, when he recommended the increase, that Admiral Palmer had told him that the prospects were that they would get 10,000 in the next year, and Secretary Daniels said that he hoped to do so.

Mr. PADGETT. We passed a law that became effective on the 29th of August, 1916. Under that regulations were promulgated and sent out through the country, but the people had to have time to learn about it; and the prospects since that time are very much better. Under the reserve law that we passed last year giving retirement after six years for life to go into the reserve, and with the increase of the retainer, giving grades in the reserve corps and the increase of pay, we are offering them so many more advantages under the act of August 29, 1916, that I am informed there is great satisfaction going out as it becomes known; and I hope the amendment of the gentleman will be voted down, because it would not yield one dollar to the enlisted men.

Mr. GARDNER. Mr. Chairman, I move to strike out the last two words. Now, Mr. Chairman, the gentleman from Tennessee is correct in saying that the mere adoption of this amendment would not raise the enlisted men's pay. I have here an amendment which will be offered on the next page which will raise their pay, if the gentleman does not raise the point of order.

Mr. PADGETT. I have been very frank to say to the gentleman that I would raise the point of order.

Mr. GARDNER. Precisely; I was going to call attention to it. The gentleman has stated that he will raise the point of order, but I make this prediction—if the House raises the total amount of money carried in this paragraph with the avowed purpose of giving enough funds to enable the Secretary of the Navy to pay \$5 a month more to each enlisted man, when the bill arrives at the other end of the Capitol, the Senate will amend it with a provision increasing the statutory pay of enlisted men by \$5 per month.

The gentleman calls attention to the great improvement in the lot of the enlisted man under the act of last August. All that improvement had taken place at the time when the Secretary gave his evidence. It was on the 11th day of December last that the Secretary appeared before the Committee on Naval Affairs and preferred that request for increasing the pay \$5 per month for the enlisted men.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. GARDNER. Certainly.

Mr. WATSON of Pennsylvania. From what condition of life do you depend for recruits?

Mr. GARDNER. Many come from the country districts. The Secretary speaks exceedingly well of the character of the class of enlisted men he has got. He says that 90 per cent of them have somebody dependent upon them. He also says that the men in civil life who are doing every kind of duty are getting higher pay. Here is the amendment which I shall offer on the next page of the bill, if this amendment carries, to wit: Add at the end of the paragraph the words "and hereafter the pay of the enlisted men of the Navy shall be increased \$5 each per month."

Mr. RAINEY. Mr. Chairman, I move to strike out the last two words. I do that in order to have a telegram, which I have just received, read at the desk.

The Clerk read as follows:

ROODHOUSE, ILL., February 8, 1917.

HON. HENRY T. RAINEY, M. C.,
Congress Hall Hotel, Washington, D. C.:

The entire plant of Eli Bridge Co. is at the service of the United States Government in case of war. Please communicate this to proper authorities.

W. E. SULLIVAN,
President Eli Bridge Co.

Mr. EMERSON. Mr. Chairman and gentlemen of the committee, at this time, when our Nation seems to be involved in a great crisis, it is well to know how some of the German-Americans of this country feel concerning this Republic, and I desire to have the Clerk read in my time a letter from A. J. Gaehr, one of the leading German-American citizens of Cleveland, Ohio.

The Clerk read as follows:

Hon. H. I. EMERSON,
Washington, D. C.

CLEVELAND, February 6, 1917.

MY DEAR MR. EMERSON: May I say a personal word with reference to the delicate international relations that now exist between this country and Germany? Whatever I write is done in the spirit of sincere loyalty to this country.

I am the son of a naturalized citizen of German birth and I have no other desire than that this country shall be at honorable peace with all nations, and I believe those who violate international law must suffer the penalty. It is because I have such high regard for America and sincere attachment for it, and it is because I have not altogether forgotten the old home that I am anxious that both parties remain in friendly relations.

We must not forget that the present tension has been brought about because we permitted one nation to violate international law with impunity and held another to strict observance of it; and while I do not in any sense criticize the strict enforcement of it—quite the contrary—I sincerely indorse it. We must not be too severe when we have been in part responsible for it.

Moreover, I wish to say I shall loyally support this Government in case of a break, or if worse conditions should obtain, because I believe not in "America first," but in "America only."

I should deplore the conditions if we should permit ourselves to be drawn into the vortex of the horrible conditions that now prevail in Europe and do what the allies desire to have us do, namely, fight their battles. We pull no one's chestnuts out of the fire; we fight for no other nation. Let them settle their own grievances. We fight for this country alone.

I would urgently request that you use your utmost endeavors to prevent a hostile outbreak between this country and Germany or any other country, so long as the conditions are not incompatible with our self-respect or rights or duties. The thought that we should go abroad and kill individuals and have our citizens killed by others, who have never seen one another and have no personal grievance, is almost too horrible to bear. For that reason I urge, if at all possible or proper that peaceful relations be maintained or if war must come, that we fight for America and for no other country.

Those who would have us fight for them now are the ones who opposed the establishment of the Republic and hampered this country in every possible way during the Civil War, and those whom they would like to have us oppose and attack are the ones that sent over delegations that helped to fight, like Baron Steuben, who rendered such invaluable service to the Continental troops. And remember that those of German birth furnished a larger contingent of the Army that upheld the Nation in 1861 to 1865 than all of the foreign nations combined. At any rate, this is not the time for passing snap judgment, but for calm deliberation.

Yours, very truly,

A. J. GAHR.

Mr. BUTLER and Mr. DYER rose.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and upon the paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon the paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

The CHAIRMAN. The Chair will recognize the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, I shall divide my five minutes with the gentleman from Missouri [Mr. DYER]. I thought when we began the consideration of this bill that it might be necessary to increase the pay of the enlisted men of the Navy. With that in mind, I asked the Secretary of the Navy a good many questions. Since that time I have concluded that it might be well to postpone the increase of pay until some time in the near future, when we can ascertain positively whether these recruits can be had—not to keep the pay from the men, but to see how the legislation which we passed last August may affect the enlistment. The gentleman from Tennessee [Mr. PADGETT] was wrong in the number of years of the enlistment period. It is four years, and during that time the enlisted man who behaves himself well has ample opportunity for promotion.

Mr. PADGETT. Many of them get promotion within the first year.

Mr. BUTLER. Many of them are promoted the first year and their wages increased.

Mr. COX. How much?

Mr. BUTLER. From \$2 to \$4 a month, depending upon the promotion. My recollection is that the first promotion is \$2 per month; and I think the second is four. I will say to the gentleman that the promotions are graded, they are fixed by law and by regulations of the Navy.

Mr. COX. Then it is possible to have promotion and increase of salary during the first period of enlistment?

Mr. BUTLER. Yes.

Mr. PADGETT. And they get prizes and trophies besides.

Mr. GARDNER. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. GARDNER. What proportion of the enlisted men are promoted in their first year?

Mr. BUTLER. I am sorry that I can not answer that question. The opportunity to be promoted and the opportunity for more of them to advance was given by the bill that we passed last August. It was then the purpose of Congress not to tempt

the men to enlist in the Navy, but to help the men who did enlist. Their opportunities were doubled. They now have the chance after five or six years' service of going into the reserve, where they will draw pay as long as they stay in the reserve.

Mr. COX. How much when they get to the first reserve?

Mr. BUTLER. I will ask the chairman of the committee what is the retainer pay?

Mr. PADGETT. It is \$12 a year the first year, but then they get two months' pay during the year at the rating at which they went out of the regular service, and then at the different ratings their pay increases, and it runs along through life.

Mr. TALBOTT. And besides that we provide that 100 men shall be appointed from the enlisted force to the Naval Academy.

Mr. TAGUE rose.

Mr. BUTLER. Mr. Chairman, before I yield to the gentleman from Massachusetts, this service of the Government as a Naval Reserve service gives a promise of being extremely popular because of the great number of enlistments in it.

Mr. TAGUE. What percentage of the men reenlist after their first service?

Mr. PADGETT. I have not got the last year, but the year before that 85 per cent of them reenlisted. I understand that during this year it has been reduced down to about 65 per cent or 75 per cent, but a good many went into the reserves.

Mr. BUTLER. I have always had it in mind that about three-fourths of the men reenlisted. The number may have decreased this year because of the advantages from the outside. I fear that I have taken up all of the time instead of yielding a part of it to the gentleman from Missouri, and I will ask the Chairman of the committee to open the door so that he may have five minutes.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired, and, by unanimous consent, all time has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent—

Mr. PADGETT. Does the gentleman from Missouri desire to speak on the amendment or something else?

Mr. DYER. Just a couple of minutes.

Mr. PADGETT. The gentleman can get it after we have had a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. GARDNER].

The question was taken and the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I am going to move that the committee rise and if the gentleman from Missouri wants his five minutes now, will the gentleman move to strike out the last word? Let him get in now if he desires, as I am going to move that the committee rise.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DYER. Mr. Chairman, I want to say a word in behalf of this amendment because I believe that one of the troubles we have now with reference to securing eligible men for enlistment in the Army and Navy is the small pay as well as because of the fact that the Government of the United States does not show to the men after they have been discharged from the service the consideration which they ought to show them as compared with employment in civil life. Other countries of the world, practically all, are far ahead of the United States in that respect. But one thing I want especially to speak of while I have the floor is in reference to the suggestion that comes from the gentleman from Ohio [Mr. EMERSON] in the letter that he had read here from the desk from a citizen of German ancestry. It seems to me, Mr. Chairman, that it is an insult to the men of our Nation, born in Germany or of German parentage, to have it even intimated on the floor of this House that they are not as loyal Americans as those of any other nationality or breed. [Applause.] I recently returned from a two-day stay in my city of St. Louis and there we had the papers every hour practically containing the alarming headlines of the imminent danger of this country entering into war with Germany, and I am proud to say that in that city we have a very large population of men of German birth or of German ancestry and I had the privilege of talking with many of them while I was there and to see their views expressed in newspapers of that city, and I want to say, Mr. Chairman, that not one word did I hear or read in the newspapers, coming from any men of German birth or German ancestry, but what said in effect, "We will stand loyally behind the President of the United States in what he has done so far." [Applause.] "We believe that the President took the position that he in honor had to take in the name of the honor and glory of our great country." There is no division respecting the people of German birth or of German ancestry, and even to have it intimated here in any way that they are not

as loyal is in my judgment not only unnecessary but an insult to that great patriotic people of our land. I yield the balance of my time to the gentleman from Pennsylvania [Mr. MILLER].

Mr. MILLER of Pennsylvania. Mr. Chairman, I shall not detain the committee but a moment. I have some observations which I desire to make on this bill, and in place of speaking them I will ask leave to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. SMITH of Michigan. Mr. Chairman, I make the same request.

Mr. GARDNER. Mr. Chairman, I make the same request.

The CHAIRMAN. Without objection, the requests will be granted. [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. PAGE of North Carolina, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 20632, the naval appropriation bill, and had come to no resolution thereon.

HOOR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles and a resolution, in which the concurrence of the House of Representatives was requested:

S. 8079. An act to amend the first and seventh paragraphs of section 4414 of the Revised Statutes of the United States as amended by the act of April 9, 1906;

S. 8105. An act granting the consent of Congress to the Conway County Bridge District to construct, maintain, and operate a bridge across the Arkansas River, in the State of Arkansas; and

Senate concurrent resolution 29.

Resolved by the Senate (the House of Representatives concurring). That the appreciation of the Government and the people of the United States is hereby expressed of the action taken by the people of Thorold, Ontario, Canada, in erecting a monument near that place to commemorate the death on the battlefield of Beaverdams, or Beachwood, of a number of soldiers in the service of the United States who there lost their lives during the War of 1812.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 8669. An act authorizing the Secretary of the Interior to extend the lease of certain land in Stanley County, S. Dak., for a buffalo pasture.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13831. An act to amend section 4464 of the Revised Statutes of the United States, relating to number of passengers to be stated in certificates of inspection of passenger vessels, and section 4465 of the Revised Statutes of the United States, prescribing penalty for carrying excessive number of passengers on passenger vessels, and section 4466 of the Revised Statutes of the United States, relating to special permits for excursions on passenger steamers; and

H. R. 15314. An act to punish persons who make threats against the President of the United States.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3699. An act to donate to the city of St. Augustine, Fla., for park purposes the tract of land known as the powder-house lot.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 358. Joint resolution authorizing the granting of permits to the committee on inaugural ceremonies on the occa-

sion of the inauguration of the President elect in March, 1917, etc.

HOUSE BILL WITH SENATE AMENDMENTS.

Mr. FERRIS. Mr. Speaker, I ask the Speaker to lay before the House the bill H. R. 8492 with Senate amendments, and I move to concur in the Senate amendments.

The SPEAKER. The Chair lays before the House the bill the title of which the Clerk will report.

The Clerk read as follows:

An act (H. R. 8492) to restore homestead rights in certain cases.

The Senate amendments were read.

Mr. FERRIS. Mr. Speaker, I move to concur in the Senate amendments.

The question was taken, and the Senate amendments were concurred in.

PAYMENTS ON CHEYENNE AND ARAPAHOE INDIAN RESERVATION.

Mr. FERRIS. Mr. Speaker, another short matter. It will take but a moment to dispose of it. I ask unanimous consent to take from the Speaker's table the bill S. 7757, a similar House bill being on the calendar.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to take from the Speaker's table the bill S. 7757, a bill of similar tenor being on the House Calendar. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 7757) authorizing a further extension of time to purchasers of land in the former Cheyenne and Arapahoe Indian Reservation, Okla., within which to make payment.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to grant to purchasers of land in the former Cheyenne and Arapahoe Indian Reservation, Okla., sold in the year 1910, under the act of Congress approved June 17, 1910 (36 Stat. L., p. 533), a further extension of time to make payment; the unpaid portion of the purchase price shall be divided into five equal portions, one portion to be due November 15, 1918, and one portion thereof November 15 of each of the four succeeding years, interest to be paid on each installment or portion when due at the rate of 5 per cent per annum: *Provided*, That interest due under existing law granting extensions of time must be paid up to November 15, 1916, within 90 days from the passage of this act: *Provided further*, That failure to pay any installment, as well as the interest thereon, as the same becomes due, as herein provided, will forfeit the entry and the same shall be canceled, and any and all payments previously made shall be forfeited.

Mr. MANN. Mr. Speaker, I move to amend. I think the amendment would come on line 1 by the way the Clerk read the bill, on page 2, where it reads "interest to be paid on each installment or portion when due," by inserting after the word "paid" the word "annually," and striking out the words "when due."

Mr. FERRIS. That amendment is entirely agreeable, and makes it clearer than it was before.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Page 2, line 1, after the word "paid," insert the word "annually," and in line 2 strike out the words "when due."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to. The bill as amended was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FERRIS, by unanimous consent, a House bill, H. R. 19785, of similar tenor was laid on the table.

EXTENSION OF REMARKS.

Mr. MURRAY. Mr. Speaker—

Mr. MANN. Mr. Speaker, I make the point of order there is no quorum present.

Mr. MURRAY. Just a moment. I want to extend some remarks.

Mr. MANN. Very well.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on two subjects: First, the subject of "Criminal record of 'beer' and 'liquor' compared," and on "Essentials for rural-credit law."

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the Record on the subjects mentioned. Is there objection?

There was no objection.

LATE SENATOR BENJAMIN F. SHIVELY.

Mr. DIXON. Mr. Speaker, I ask unanimous consent that Sunday, February 18, be set apart for eulogies on the life and character of the late Senator SHIVELY, of Indiana.

The SPEAKER. The gentleman from Indiana asks unanimous consent that Sunday, the 18th of February, 1917, be set apart for eulogies on the life and character of the late Senator

BENJAMIN F. SHIVELY, of Indiana. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 38 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, February 9, 1917, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Postmaster General, transmitting a schedule of papers and documents which are not needed in the transaction of public business and which, in the opinion of the department, have no permanent value or historical interest (H. Doc. No. 2042); to the Committee on Disposition of Useless Executive Documents and ordered to be printed.

2. A letter from the Secretary of War, submitting a possible reduction of the amount provided for aviation under the heading "Signal Service of the Army" (H. Doc. No. 2043); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. NEELY, from the Committee on the Judiciary, to which was referred the bill (H. R. 15730) giving the consent of the United States for the bringing of certain suits in the Supreme Court of the United States, and for other purposes, reported the same without amendment, accompanied by a report (No. 1444), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 7486) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors reported the same without amendment, accompanied by a report (No. 1441), which said bill and report were referred to the Private Calendar.

Mr. TILLMAN, from the Committee on Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 20827) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, accompanied by a report (No. 1442), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WEBB: A bill (H. R. 20828) to regulate the conduct of vessels in the ports and waters of the United States in case of actual or threatened war, insurrection, or invasion, or threatened disturbance of the international relations of the United States; to the Committee on the Judiciary.

By Mr. WALSH: A bill (H. R. 20829) authorizing the President to secure vessels of foreign registry from destruction and damage; to the Committee on the Judiciary.

By Mr. HULBERT: A bill (H. R. 20830) prohibiting construction of bridges and construction of additional tracks upon existing bridges over any navigable stream in the city of New York unless the elevation of said bridge at mean high water shall be sufficient to permit the free movement of such vessels as are ordinarily operated upon such navigable stream; to the Committee on Interstate and Foreign Commerce.

By Mr. PADGETT: Resolution (H. Res. 488) providing for the consideration of amendments to H. R. 20632, naval appropriation bill; to the Committee on Rules.

By Mr. SHERWOOD: Resolution (H. Res. 489) providing for pay for the examiner detailed to the Committee on Invalid Pensions from the Pension Bureau; to the Committee on Accounts.

By Mr. GUERNSEY: Concurrent resolution (H. Con. Res. 72) authorizing the Secretary of the Navy to order a ship or ships of the United States Navy to proceed to some designated port of France to bring American officials to the United States; to the Committee on Foreign Affairs.

By Mr. HUMPHREY of Washington: Memorial of the Legislature of the State of Washington, urging appropriation to reimburse the State of Washington for expenditures incurred in recruiting her military organizations to their authorized maximum war strength; to the Committee on Claims.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington, urging the construction of a military highway along the north bank of the Columbia River connecting Forts Vancouver and Canby, in the State of Washington; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Washington, urgently requesting the building and maintaining of a military highway along the Pacific coast from the Canadian border to the Mexican border for military necessities and defense; to the Committee on Military Affairs.

By Mr. HAYES: Memorial of the Legislature of California, favoring the passage of House bill 15096, to authorize an exchange of lands between the United States and the several States; to the Committee on the Public Lands.

By Mr. GLYNN: Memorial of the Legislature of the State of Connecticut, declaring the loyalty of the people of Connecticut to the Government of the United States in the present international crisis; to the Committee on Foreign Affairs.

By Mr. MCARTHUR: Memorial of the State Legislature of the State of Oregon, favoring the establishment of a naval base at the mouth of the Columbia River, Oreg.; to the Committee on Naval Affairs.

Also, memorial of the Legislature of the State of California, favoring appropriation of money for the improvement of the harbor and bay at Crescent City, Del Norte County, Cal.; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Oregon, favoring the Owyhee project in Malheur County, Oreg.; to the Committee on Irrigation of Arid Lands.

By Mr. TIMBERLAKE: Memorial of the Legislature of the State of Colorado, favoring the protection and maintenance of the oil industries of the State of Colorado; to the Committee on the Public Lands.

By Mr. HAWLEY: Memorial of the Legislature of the State of Oregon, favoring an appropriation for the construction of the Owyhee reclamation project, in the State of Washington; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of California, favoring an appropriation of \$390,000 for the improvement of the harbor at Crescent City, Del Norte County, Cal.; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. TILLMAN: A bill (H. R. 20827) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. FOSTER: A bill (H. R. 20831) granting a pension to Thomas Binnion; to the Committee on Pensions.

By Mr. GLYNN: A bill (H. R. 20832) granting a pension to William Webster; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 20833) to appoint Leonard G. Hoffman as a past assistant paymaster in the United States Navy; to the Committee on Naval Affairs.

By Mr. OVERMYER: A bill (H. R. 20834) granting an increase of pension to Joseph Schlaffer; to the Committee on Pensions.

Also, a bill (H. R. 20835) granting a pension to Marguerite Metzger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20836) granting a pension to Jacob Gish; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 20837) granting an increase of pension to John P. Williams; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Socialist Party of Philadelphia, against the United States in War; to the Committee on Foreign Affairs.

Also (by request), memorial of Equal Rights Association of Kentucky, relative to suffrage for women; to the Committee on the Judiciary.

By Mr. ALLEN: Memorial of Methodist Ministers' Association of Cincinnati, Ohio, approving the exclusion of liquor advertisements from the mails; to the Committee on the Post Office and Post Roads.

By Mr. BRUCKNER: Petition of J. J. Bowers, New York City, favoring daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Memorial of City Council of Ironton, Ohio, relative to location of the armor plant; to the Committee on Naval Affairs.

Also, petition of Personal Liberty League of Maryland against prohibitory legislation; to the Committee on the Judiciary.

By Mr. CHARLES: Memorial of Manufacturers' Association of Amsterdam, N. Y., protesting against passage of the excess-revenue measures; to the Committee on Ways and Means.

Also, petitions of sundry citizens, of Schenectady, N. Y., against this country involving itself in war; to the Committee on Foreign Affairs.

By Mr. DALE of New York: Petition of the Equal Rights Association of Kentucky, favoring woman suffrage; to the Committee on the Judiciary.

Also, petition of D. J. Sweeney, superintendent of the John Hancock Mutual Life Insurance Co., Boston, Mass., protesting against the increased tax against insurance companies as provided in the revenue bill; to the Committee on Ways and Means.

By Mr. EAGAN: Petition of Henry R. Kent & Co., of New York City, favoring passage of House bill 20080, relative to migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of Bay City's Postal Employees, favoring passage of House bill 17806, relative to salaries; to the Committee on the Post Office and Post Roads.

Also, petition of voters of the eleventh district of New Jersey, against prohibitory legislation; to the Committee on the Judiciary.

Also, petition of Kentucky Equal Rights Association, relative to suffrage for women; to the Committee on the Judiciary.

By Mr. FARR: Paper to accompany bill granting an increase of pension to Margaret Owan; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of the Equal Rights Association of Kentucky, for legislation for universal suffrage; to the Committee on the Judiciary.

Also, petition of the City Club of Chicago, favoring the Casey bill to establish woman's division in the Department of Labor; to the Committee on Labor.

Also, petition of the Department of Illinois, United Spanish War Veterans, for the Key pension bill; to the Committee on Pensions.

Also, petition of Massachusetts State Board of Trade, for Federal regulation of railway rates, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Herman Hallstrom, editor Labor News, Rockford, Ill., against declaration of war; to the Committee on Foreign Affairs.

Also, petition of Paul B. Reis, of Rockford, Ill., for House bill 20080, the migratory-bird treaty bill; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of sundry citizens of the State of Massachusetts, protesting against prohibitory legislation; to the Committee on the Judiciary.

Also, petition of Laura A. C. Hughes, Boston, Mass., favoring the administration peace policy; to the Committee on Foreign Affairs.

Also, petition of Charles F. Hackett, Elizabeth Donaldson, Arthur A. Shureliff, Arthur H. Delhin, Mrs. Charlotte L. Ware, J. A. Bensa, Josephine R. Harrington, and Lydia W. Howes, members of the Massachusetts Branch of the League to Enforce Peace, urging the adoption of the league's peace proposals by the United States; to the Committee on Foreign Affairs.

By Mr. GRIEST: Petition of Bay Cities postal employees (California), urging the enactment of House bill 17806, to increase

the salaries of certain employees in the Postal Service; to the Committee on the Post Office and Post Roads.

Also, petition of the International Forestry Conference, urging cooperation by the Government with States and the Provinces of Canada to eradicate the pine-blister disease; to the Committee on Agriculture.

Also, petition of United Leather Workers of the World, Philadelphia, Pa., protesting against militarism; to the Committee on Military Affairs.

By Mr. HICKS: Petition of citizens of Nassau County, N. Y., favoring submission to the States of a national prohibition amendment; to the Committee on the Judiciary.

By Mr. KETTNER: Petition of W. B. Storey, vice president the Atchison, Topeka & Santa Fe Railway System, Chicago, Ill., protesting against passage of House bill 9216; to the Committee on Interstate and Foreign Commerce.

Also, petition of A. Young, Order of Railway Conductors; W. K. Ackerley, T. B. La Rue, and F. M. Klinglesmith, all of Needles, Cal., protesting against House bill 19730, the Adamson bill; to the Committee on Immigration and Naturalization.

Also petition of Walter P. Casey, Brawley, Cal., opposing rider in Post Office bill providing for a guaranty fund in lieu of surety bonds; to the Committee on the Post Office and Post Roads.

Also, petition of C. N. White, business manager San Francisco Advertising Club, San Francisco, Cal., protesting against discontinuance of pneumatic-tube service of Chicago; to the Committee on the Post Office and Post Roads.

Also, petition of Melville Klauber, wholesale grocer, San Diego, and O. P. Shepardson, Fullerton, both in the State of California, favoring 1-cent letter postage on second-class matter; to the Committee on the Post Office and Post Roads.

Also, petition of Dr. John H. Mallery, La Mesa; Milton C. Shepard, San Diego; F. C. Reid, San Diego; C. B. Messenger, Los Angeles Cultivator Publishing Co.; and Frederick H. Eley, Santa Ana, all in the State of California, and John H. Cowles, secretary general the Supreme Council, Scottish Rite, Washington, D. C., protesting against postal rates according to zone system; to the Committee on the Post Office and Post Roads.

Also, petition of W. O. Talbot, secretary Merchants' Association of San Diego, Cal., favoring passage of WILLIAM P. BORLAND's bill to provide standard time for United States; to the Committee on Labor.

Also, petition of Mrs. Mina B. Brust, secretary San Diego Society for Study and Prevention of Tuberculosis, San Diego, Cal., favoring passage of Kent bill, House bill 11864; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. Ellison, secretary Waterfront Workers' Federation of Pacific Coast, San Francisco, Cal., favoring new marine-hospital building at San Francisco, Cal.; to the Committee on Public Buildings and Grounds.

Also, petition of Phil V. Dewey, secretary Typographical Union No. 84, San Bernardino, Cal., favoring raise in salaries of printers employed in post offices; to the Committee on the Post Office and Post Roads.

Also, petition of W. C. Allen, secretary California State Church Federation, Los Angeles, Cal., protesting against enactment of a universal military law; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of Frank B. Hall, of Baltimore, Md., against passage of House bill 19730; to the Committee on Immigration and Naturalization.

Also, petition of Equal Suffrage League of Baltimore, Md., favoring the Casey bill, for woman's division in the Department of Labor; to the Committee on Labor.

Also, petition of sundry citizens of Baltimore, Md., favoring national woman-suffrage amendment; to the Committee on the Judiciary.

Also, petition of Constance Smith, the Woman's Club of Kensington, and S. C. Hoover, all of the State of Maryland, favoring passage of House bill 20080, migratory-bird treaty act; to the Committee on Foreign Affairs.

Also, petition of sundry citizens of Baltimore, Md., against United States in war with Germany; to the Committee on Foreign Affairs.

By Mr. MORIN: Petition of Mr. E. L. West, secretary of the Bay Cities Postal Employees, Oakland, Cal., with reference to increase of salaries; to the Committee on the Post Office and Post Roads.

By Mr. NORTON: Petitions of Bismarck Verein and citizens of Bismarck and Hebron and German-Hungarian Society, of Dickinson, N. Dak., asking Congress to submit question of war to vote of people of the United States; to the Committee on Foreign Affairs.

By Mr. SHOUSE: Petition of citizens of Harper County, Kans., favoring a Christian amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions of sundry citizens of Utica, N. Y., against involving the United States in war; to the Committee on Foreign Affairs.

By Mr. TINKHAM: Petition of William P. Everts, Mary E. Wynne, Caroline W. Davis, Alice E. Streng, citizens of the State of Massachusetts, favoring the administration peace policy; to the Committee on Foreign Affairs.

Also, petition of Emma M. George, Mary B. Core, Kate A. Coolidge, Mrs. Helen A. Emery, and Enoch Dill, members of the Massachusetts Branch of the League to Enforce Peace, urging the adoption of the league's peace proposals by the United States; to the Committee on Foreign Affairs.

By Mr. YOUNG of North Dakota: Petition of citizens of Hebron, N. Dak., and vicinity, asking that proposal to declare war be submitted to vote of the people; to the Committee on Foreign Affairs.

SENATE.

FRIDAY, February 9, 1917.

(Legislative day of Thursday, February 8, 1917.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

SENATOR FROM UTAH.

The VICE PRESIDENT. The Chair, out of order, lays before the Senate the credentials of WILLIAM H. KING, Senator elect from the State of Utah, which will be printed in the RECORD and filed in the office of the Secretary.

The credentials are as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, A. D. 1916, WILLIAM H. KING was duly chosen by the qualified electors of the State of Utah a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, A. D. 1917.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 1st day of December, A. D. 1916.

[SEAL.]

DAVID MATTON,
Secretary of State.

CALLING OF THE ROLL.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Jones	Page	Smith, S. C.
Brandegge	Kenyon	Penrose	Smoot
Bryan	Kern	Poinexter	Sterling
Chamberlain	Kirby	Pomerene	Stone
Clapp	Lane	Ransdell	Thomas
Colt	Lee, Tenn.	Reed	Thompson
Culberson	Lee, Md.	Robinson	Townsend
Curtis	Lodge	Saulsbury	Underwood
du Pont	McCumber	Shafroth	Vardaman
Fernald	McLean	Sheppard	Wadsworth
Gallinger	Martin, Va.	Sherman	Walsh
Gronna	Martine, N. J.	Shields	Warren
Harding	Myers	Slimmons	Watson
Husting	Nelson	Smith, Ga.	Weeks
James	Norris	Smith, Md.	Williams
Johnson, Me.	Overman	Smith, Mich.	Works

Mr. MARTINE of New Jersey. I was requested to announce the absence of the Senator from Oklahoma [Mr. GORE] owing to illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. The District of Columbia appropriation bill is before the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19119) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1918, and for other purposes.

The Secretary resumed the reading of the bill, on page 71, line 12.

The next amendment was, under the head of "Health department," on page 71, line 22, after "\$1,200," to insert "serologist, \$2,500; scientific assistant, \$1,200," and on page 72, line 2, after the words "in all," to strike out "\$74,040" and insert "\$77,740," so as to make the clause read:

Health officer, \$4,000; assistant health officer, \$2,500; chief clerk and deputy health officer, \$2,500; chief, bureau of vital statistics, \$1,800; clerks—1 \$1,000, 5 at \$1,200 each, 4 at \$1,000 each, 2 at \$900 each, 1 \$720; sanitary inspectors—chief \$1,800, assistant chief \$1,400, 8

at \$1,200 each, 2 at \$1,000 each, \$3 at \$900 each; food inspectors—chief \$1,800, assistant chief \$1,400, 5 at \$1,200 each, 6 at \$1,000 each, 5 at \$900 each; chemist, \$2,000; assistant chemist, \$1,200; assistant bacteriologist, \$1,200; serologist, \$2,500; scientific assistant, \$1,200; skilled laborers—1 \$720, 1 \$600, 2 messengers at \$600 each; driver, \$600; poundmaster, \$1,400; watchman, \$600; laborers, at not exceeding \$50 per month each, \$2,400; in all, \$77,740.

The amendment was agreed to.

The next amendment was, on page 74, line 4, after the word "machine," to insert "to be immediately available," so as to make the clause read:

For new refrigerating machine, to be immediately available, \$500.

The amendment was agreed to.

The next amendment was, on page 74, after line 5, to insert:

Apparatus, equipment, cost of installation, supplies, and other expenses incidental to the biological and serological diagnosis of disease, \$1,200.

The amendment was agreed to.

The next amendment was, on page 75, line 18, after the word "maintenance," to strike out "\$7,000" and insert "\$10,000"; in line 19, before the word "respectively," to strike out "\$5,000" and insert "\$6,500"; and in line 20, after the words "in all," to strike out "\$12,000" and insert "\$16,500," so as to make the clause read:

Garfield and Providence Hospitals: For isolating wards for minor contagious diseases at Garfield Memorial and Providence Hospitals, maintenance, \$10,000 and \$6,500, respectively, or so much thereof as in the opinion of the commissioners may be necessary; in all, \$16,500.

The amendment was agreed to.

The next amendment was, on page 76, after line 10, to insert:

For repairs and alterations to the building located on lot 10, square 228, formerly occupied as an emergency hospital, and now the property of the United States, in order to make it available for use as a laboratory for the Health Department of the District of Columbia, and for other uses of said District of Columbia: *Provided*, That authority to occupy said building is granted to the Commissioners of the District of Columbia by the Secretary of the Treasury, to be immediately available, \$4,000.

The amendment was agreed to.

The next amendment was, under the head of "Courts," on page 77, line 7, after the word "expenses," to strike out "\$500" and insert "\$650," and in the same line, after the words "in all," to strike out "\$7,200" and insert "\$7,350," so as to make the clause read:

Probation system: Probation officer, supreme court, \$2,000; assistant probation officer, \$1,200; stenographer and typewriter and assistant, \$800; police court—probation officer \$1,500, assistant probation officer \$1,200; contingent expenses, \$650; in all, \$7,350.

The reading of the bill was continued to line 4 on page 80.

Mr. SMITH of Maryland. On page 79, lines 24 and 25, I move to strike out the words "Government Hospital for the Insane" and insert "St. Elizabeth's Hospital." That is the name of the hospital by law. It was a mistake to put in the other name.

The amendment was agreed to.

The next amendment was, under the head of "Interest and sinking fund," on page 80, line 9, after "\$975,408," to insert: "*Provided*, That any balances of revenue of the District of Columbia remaining to its credit after its share of the appropriations contained herein has been paid, and after its share of any other appropriations to which it is required to contribute on account of the fiscal years ending June 30, 1916, and June 30, 1917, has been paid, shall be credited to interest and sinking fund for application to the funded debt of the District of Columbia," so as to make the clause read:

For interest and sinking fund on the funded debt, payable one-half out of the revenues of the District of Columbia and one-half out of any money in the Treasury not otherwise appropriated, \$975,408: *Provided*, That any balances of revenue of the District of Columbia remaining to its credit after its share of the appropriations contained herein has been paid, and after its share of any other appropriations to which it is required to contribute on account of the fiscal years ending June 30, 1916, and June 30, 1917, has been paid, shall be credited to interest and sinking fund for application to the funded debt of the District of Columbia.

The VICE PRESIDENT. The question is on agreeing to the amendment.

Mr. SMOOT. Just one word, Mr. President. This amendment provides "and after its share of any other appropriations to which it is required to contribute on account of the fiscal years ending June 30, 1916, and June 30, 1917." Does the Senator believe that we can now adopt an amendment to an appropriation bill affecting an appropriation which has already been expended and ended on June 30 of last year?

Mr. SMITH of Maryland. I will say to the Senator that the money herein referred to has not been expended, but that it lies in the Treasury. We, therefore, felt that, inasmuch as the money has been collected from the revenues of the District of Columbia, it ought to belong to the District and should be credited to the District and used to pay off the District's debt.